

IN THE CONSTITUTIONAL COURT OF SOUTH AFRICA

CCT Case No: CCT172/19

LAC Case No: DAB/2018

Labour Court Case No: D722/2015 & D459/2016

In the matter between:-

**NATIONAL UNION OF METALWORKERS
OF SOUTH AFRICA (KZN)**

Applicant

and

**LUFIL PACKAGING (ISITHEBE)
[A DIVISION OF BIDVEST PAPERPLUS (PTY) LTD]**

First Respondent

**COMMISSION FOR CONCILIATION
MEDIATION AND ARBITRATION**

Second Respondent

LEON PILLAY N.O.

Third Respondent

NOTICE OF MOTION – CONDONATION APPLICATION

BE PLEASED TO TAKE NOTICE that, at the hearing of this matter on 21 November 2019, the First Respondent will seek an order that:-

1. The late filing of the First Respondent's Written Submissions, Practice Note and List of Authorities herein be condoned.

BE PLEASED TO TAKE FURTHER TAKE NOTICE that the Founding Affidavit of **HENDRIK ANDRIES ROUX HUGO** will be used in support of this Application.

DATED at **SANDTON** on this **4th** day of **NOVEMBER 2019**.

EDWARD NATHAN SONNENBERGS INC.

Per:

Attorneys for the First Respondent

1 North Wharf Square

Loop Street

Foreshore

Cape Town

8000

Tel: 021 410 2500

Email: hrossouw@ENSAfrica.com

fnana@ensafrica.com

(Ref: H Rossouw/F Nana | 0390041)

C/O EDWARD NATHAN SONNENBERGS INC.

The Marc

Tower 1

129 Rivonia Road

Sandton

Johannesburg

2196

Tel: (011) 269 7600

Fax: (010) 596 6176

E-mail: hhugo@ensafrica.com

TO: THE REGISTRAR OF THE ABOVE HONOURABLE COURT

The Constitutional Court of South Africa

AND TO: HAARKOO, BRIJLALL & REDDY

Attorneys for the Applicant

HBR Chambers

155 Mathews Meyiwa Road

Durban

Ref:Mr R Harkoo / N1878/087/15

Email: HarkooR@hbr.co.za

jesse@hbr.co.za

C/O FINGER PHUKUBJE INC

83 Albertina Sisulu Street

Cnr Albertina Sisulu & Von Brandis Street

4th Floor, Bradlows Building

Johannesburg

Ref: Chris Phukubje

AND TO: COMMISSION FOR CONCILIATION, MEDIATION AND

ARBITRATION

Second Respondent

Aqausky Towers

275 Anton Lembede Street

Durban

kzn@ccma.org.za

AND TO: **LEON PILLAY**

Third Respondent

C/O Second Respondent