

**IN THE CONSTITUTIONAL COURT OF SOUTH AFRICA**

**SCA CASE NO 298/09**  
**LAC CASE NO JA 49/06**  
**CC CASE NO: \_\_\_\_\_**

In the matter between:

**SOUTH AFRICAN TRANSPORT AND ALLIED  
WORKERS UNION (“SATAWU”)**

First Applicant  
(First Respondent *a quo*)

**PERSONS APPEARING IN ANNEXURE “A”** Second and further Applicants  
(Second and further Respondents *a quo*)

and

**LEBOGANG MICHAEL MOLOTO N.O.**

First Respondent  
(Appellant *a quo*)

**JERRY SEKETE KOKA N.O.**

Second Respondent  
(Appellant *a quo*)

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**NOTICE OF APPLICATION FOR LEAVE TO APPEAL**

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KINDLY TAKE NOTICE that the applicants apply to this Honourable Court for an order in the following terms:

1. Granting the applicants leave to appeal against the whole of the order and judgment of the Supreme Court of Appeal, issued under above mentioned case number, handed down on 30 November 2011;
2. Upholding the appeal with costs;
3. Setting aside the above mentioned order and judgment of the Supreme Court of Appeal with an order dismissing the appeal with costs,

including the costs of two counsel;

4. Further and/or alternative relief.

TAKE NOTICE FURTHER that the respondents in this matter may within ten (10) days of receipt hereof respond by affidavit indicating whether they consent to leave to appeal being granted and, if the application is opposed, their grounds of opposition.

TAKE NOTICE FURTHER that the founding affidavit of REYNAUD NEIL DANIELS will be used in support hereof.

TAKE NOTICE FURTHER that the applicants have appointed the address of its attorneys, set out below, as the address at which it will accept service of all notices and process in this matter.

DATED AT JOHANNESBURG ON THIS \_\_\_\_\_ DAY OF DECEMBER 2011

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TO:  
The Registrar  
Constitutional Court  
BRAAMFONTEIN

AND TO:  
SENEKAL SIMMONDS ATTORNEYS  
Respondents' Attorneys  
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