

IN THE INDUSTRIAL COURT OF SWAZILAND

Held at Mbabane

Case No. 153/91

In the matter of:-

SWAZILAND COMMERCIAL AND

ALLIED WORKERS UNION

APPLICANT

and

SWAZILAND NATIONAL HOUSING

BOARD

RESPONDENT

RULING

This is an application by the Applicant in which it seeks an order that the Respondent do grant it recognition.

In reply the Respondent filed an Answer and raised preliminary issues namely that there is already pending before court another matter dealing with the same issues between the parties registered under case number 138/91. Secondly that the Applicants application for recognition is fatally defective and does not comply with Section 36(1) of the Industrial Relations Act.

A search conducted at the courts registry has disclosed that there is existing case number 138/91 in which the Swaziland National Housing Board are shown as applicants and Swaziland Commercial and Allied Workers Union are the respondents. Case number 138/91 was filed before case number 153/91.

It is the decision of the court that the proceedings in case number 153/91 be stayed pending the determination of case number 138/91. The court will not at this stage touch the other issues raised in the preliminary objection.

M.S. BANDA

7/11/91