

IN THE HIGH COURT OF SWAZILAND

Cisco S. Mdlalose

Applicant

vs

Chairman of the Road Transportation Appeals Board

1st Respondent

Attorney General

2nd Respondent

Case No. CA/2113/1994

Coram

S W. Sapire ACJ

For Applicant

L. Mamba

For Respondent

Judgment

(28/11/97)

This is an application for review of a decision of the Transportation Appeals Board. When the matter was first called there was an appearances for both the Applicant and the Respondents.

Both Respondents were represented by the Attorney General and I was told that the Attorney General consented to an order. Now there is no way in which this Court can be bound by any such consent. In the first place on looking through the papers and the original matter appears to have been opposed application for a licence. There are other people interested in the issue of a licence and they opposed the application both at the Road Transportation Board and at the Appeals Board. To make an order without them having notice of this application would be quite incorrect. Secondly no grounds have been made out for any review and if the Transportation Appeals Board or the Transportation Board is of the mind to grant or to reconsider the application then a new application can be made forthwith. It is not for this Court, without any information whatsoever and in the absence of the interested parties having been given notice, to make any order in regard to the proceedings at the Road Transportation authorities.

The application is dismissed with costs.

S.W. SAPIRE

ACTING CHIEF JUSTICE