

IN THE INDUSTRIAL COURT OF SWAZILAND

HELD AT MBABANE

CASE NO. 19/2002

In the matter between:

VICTOR CARVALLO

APPLICANT

and

MAGNUM PANEL BEATERS (PTY) LTD

RESPONDENT

CORAM:

NDERINDUMA:

PRESIDENT

JOAHI YENDE:

MEMBER

NICHOLAS MANANA:

MEMBER

FOR APPLICANT:

M/S R. MAMOGOBO

FOR RESPONDENT:

Z.MAGAGULA

RULING

15/04/02

The Respondent has raised objection to the Application to the effect that the dispute was not properly investigated in terms of Section 78 (1) of the Industrial Relations Act of 2000.

No evidence was called in support of this averment. There is a certificate of unresolved dispute attached to the Application in terms of Section 85 (1) of the Act.

Issues in dispute appear to have been ventilated by CMAC after the matter was referred to it by the Commissioner of Labour.

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The Respondent has failed to discharge its onus to sustain the objection.

The same is dismissed and the matter will take its normal course.

NDERI NDUMA

JUDGE PRESIDENT - INDUSTRIAL COURT