



**IN THE INDUSTRIAL COURT OF ESWATINI**

**JUDGMENT**

**Case No. 266/18**

In the matter between:

**ALBERT KHEKHE MASEKO**

Applicant

**And**

**MATSANJENI FUTURE FACTORY (PTY) LTD**

Respondent

**Neutral citation:** Albert Khekhe Maseko v Matsanjeni Future Factory  
(266/18) [2018] SZIC 125 (13 November 2018)

**Coram:** **S. NSIBANDE JP**

(Sitting with N.R. Manana and M.P. Dlamini Nominated  
Members of the Court)

**Date Heard:** 30 October 2018

**Date Delivered:** 13 November 2018

## **JUDGMENT**

- [1] The Applicant has filed an application that the unresolved dispute between himself and the Respondent currently pending before this Court be referred to arbitration by the Conciliation Mediation and Arbitration Commission (the Commission).
- [2] The application for referral was first set for 25<sup>th</sup> October 2018 on which date the Respondent failed to appear. The application had been served on the Respondent's attorneys of record. The matter was postponed to the 30<sup>th</sup> October 2018 and the Applicant's representative undertook to serve a notice of set down at the offices of the Respondent's attorneys of record. When the matter was called on 30 October 2018 the Respondent did not appear despite having had the notice of set down served on its attorneys of record on 25<sup>th</sup> October 2018.
- [3] Furthermore the Respondent has not filed any papers opposing the application for referral of the unresolved dispute to arbitration. In the circumstances therefore, I take it that the application is not opposed.

[4] Being an unopposed application and having considered that the issues for determination are not so complex as to require determination by the Court, I come to the conclusion that this matter be referred to arbitration under the auspices of CMAC.



S. NSIBANDE

**PRESIDENT OF THE INDUSTRIAL COURT**

**For Applicant:** Mr. E.B. Dlamini

**For Respondent:** No appearance