



IN THE GENERAL PUBLIC SERVICE SECTORAL BARGAINING COUNCIL

Held in Witbank (Emalahleni)

Panellist: Mr PC Mabitsela

Case No: GPBC 1721/2025

Date of Ruling: 09/06/2026

In the Dispute between:

PSA obo WM Mahlangu

(Union/Applicant)

And

DEPARTMENT OF PUBLIC WORKS, ROADS AND TRANSPORT- MPUMALANGA PROVINCE

(Respondent)

Applicant's representative: Ms N Mlangeni

Respondent's representative: Mr W Ndlovu

POINT-IN-LIMINE RULING

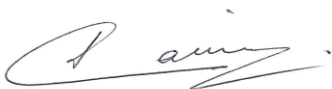


ISSUE TO BE DECIDED

1. Point-in-limine is a preliminary legal objection or technical point raised at the very beginning of a trial or hearing in tribunal. It has to be argued and resolved before the court delves into the actual facts and merits of the case.
2. The respondent challenged the jurisdiction of the Council in that the arbitrator has no legal authority to listen the dispute. The arbitrator has a duty to decide on point in limine and make a substantive ruling. The purpose of a motive in limine is to address potentially, prejudicial, irrelevant or inadmissible information that could hinder justice to prevail. In his presentation he mentioned other factors that needed the applicant to respond in challenging point raised by respondent.
3. They were both afforded opportunities to address the commission. The applicant disagreed on the issue of dismissal letter which the applicant alleged never received a letter of dismissal, including issue of theft of state vehicle pronounced by the respondent representative.
4. Point in limine was not admitted and decided the matter can best be resolved through arbitration process. The date for arbitration is set to be on 14 and 15 September 2026 so to get an amicable process to hear the matter whereby both parties will have opportunity to present their arguments.
5. In the premise I make the following ruling:

RULING

6. It is decided that the point in limine by the respondent be set aside, in order to make a mindful determination on the matter.
7. The matter will proceed through arbitration hearing on 14 and 15 September 2026
8. I make no order as to cost.



.....
Name: PC Mabitsela
(GPSSBC) Arbitrator-