



APPLICATION FOR RESCISSION OF RULING / ARBITRATION AWARD

IN THE EDUCATION LABOUR RELATIONS COUNCIL

Case Number:..

In the matter between

.....
(Applicant)

and

.....
(Respondent)

BE PLEASED TO TAKE NOTICE THAT application will be made to the Education Labour Relations Council (hereafter referred to as the ELRC) on a date, place and time to be determined by the ELRC for an order in the following terms:

1. Rescinding the ruling/arbitration award rendered by Panellist
on (date) in the aforementioned case number;
2. No order as to costs / alternately costs in the cause;
3. Alternate relief.

PLEASE TAKE NOTICE FURTHER that the applicant will accept service of all documents in this application at the following address:

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TAKE FURTHER NOTICE that should you intend opposing this application, you must deliver an answering affidavit within 14 (fourteen) days of this affidavit having been served, failing which the matter will be heard in your absence.

AND TAKE NOTICE FURTHER that the affidavit of
(*insert name of person making affidavit, ie: deponent*) annexed hereto marked 'A' will be used in support of this application.

Dated at on

.....
APPLICANT

Address:

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IN THE EDUCATION LABOUR RELATIONS COUNCIL

Case Number:.. ..

In the matter between

.....
(Applicant)

and

.....
(Respondent)

AFFIDAVIT IN SUPPORT OF APPLICATION FOR RESCISSION

I, the undersigned,
(full name of person making the affidavit)

do hereby make oath and state:

1. PARTIES

(a) I am the applicant in this matter. I am duly authorized to make this affidavit because: *(need to explain the person making the affidavit's relationship to the case, i.e.: dismissed employee, trade union official, manager at the employer, human resources officer, etc)*

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(b) I will accept service of any documents in relation to this matter at the following address or fax number

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NOTE:

- (a) The respondent may within 14 (fourteen) days of receipt of this affidavit from the applicant, file an affidavit opposing an application for rescission by the applicant. The applicant has 7 (seven) days to file a replying affidavit.
- (b) The respondent must serve a copy of the affidavit on the Applicant within the stipulated 14 (fourteen) days. Proof must be attached to show that the affidavit has been forwarded to the other party.

Wherefore I humbly pray that the application be granted as prayed in terms of the Notice of Motion to which this affidavit is attached.

.....
DEPONENT

Signed before me onat
by the deponent who acknowledges that he/she knows and understands the contents of this affidavit, has no objection to taking the oath/affirmation and considers it binding upon his/her conscience.

.....
COMMISSIONER OF OATHS