

IN THE LABOUR APPEALS COURT OF LESOTHO

In the matter between:-

**PETROSE THAHA LESELA**

**APPLICANT**

and

**LESOTHO OPPORTUNITIES  
INDUSTRIALIZATION CENTRE (LOIC)  
THE ARBITRATOR  
MS L.M. MALEBANYE**

**1<sup>ST</sup> RESPONDENT**

**2<sup>ND</sup> RESPONDENT**

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**COURT ORDER**

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**CORAM** : HON. JUSTICE S.N. PEETE

**PANELISTS:** 1. Mrs Mosehle  
2. Mr Tau

**DATE** : 28<sup>TH</sup> APRIL 2006

The award of the arbitrator is hereby set aside upon the following grounds.

- (a) Respondent – according to the record- was not granted opportunity to present its case after the end of conciliation before arbitration began.
- (b) The arbitrator – having been also conciliator had regard to matters canvassed at the conciliation.

**Order:** Arbitration *de novo* before another arbitrator – Parties to be represented.

**S.N. PEETE**  
**JUDGE OF LABOUR APPEAL COURT**

**PENALIST:.....**

**PENALIST:.....**

For Applicant : **Mr Mohau**

For Respondents : **Mr Malebanye**