

SOUTH AFRICA / JUDGMENT

# Instrument Transformer Technologies (Pty) Ltd v Eskom Holdings Soc Limited and Others (2020/18623) [2024] ZAGPJHC 444 (9 May 2024)

[2024] ZAGPJHC 444

## COURT

South Gauteng High Court, Johannesburg

## BEFORE

GC Wright

## CASE / FILE NUMBER

2020/18623

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IN THE HIGH COURT OF SOUTH AFRICA

GAUTENG DIVISION, JOHANNESBURG

Case No: 2020/18623, 2020/18624 &amp; 2020/18626

1. REPORTABLE: No
2. OF INTEREST TO OTHER JUDGES: No
3. REVISED

9 May 2024

In the matter between:

INSTRUMENT TRANSFORMER TECHNOLOGIES (PTY) LTD Applicant

and

ESKOM HOLDINGDS SOC LIMITED 1st

Respondent

YURISHA PILLAY 2nd

Respondent

LERATO MORIFE 3rd

Respondent

ACTOM HIGH VOLTAGE EQUIPMENT (PTY) LTD 4th

Respondent

Applications for leave to appeal

WRIGHT J

- [1] The applicant, Instrument seeks leave to appeal my order of 16 April 2024. I dismissed Instrument's applications to review its exclusion from an Eskom tender process. I did so on the ground of mootness, it being common cause that the relevant four year contracts, awarded to the successful tenderer, Actom come to an end on 14 May 2024.
- [2] In my view, the mootness problem for Instrument is now worse and it has no reasonable prospect on appeal and there is no compelling reason to grant leave.

ORDER

- [1] The applications are dismissed with party and party costs on scale A, including those of two counsel where so employed.

GC Wright

Judge of the High Court

Gauteng Division, Johannesburg

HEARD : 9 May 2024

DELIVERED : 9 May 2024

APPEARANCES :

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**CASE PAGE**              <https://chat.esheria.ai/case-law/south-africa/unknown-plaintiff-v-unknown-defendant-mootness-agpjhc-2024-2020-18623>

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