


REPUBLIC OF SOUTH AFRICA



IN THE HIGH COURT OF SOUTH AFRICA
(LIMPOPO DIVISION, POLOKWANE)

CASE No: 4663/2021

(1)	REPORTABLE: <u>YES/NO</u>
(2)	OF INTEREST TO THE JUDGES: <u>YES/NO</u>
(3)	REVISED.
Signature: 	
Date : <u>20/07/2023</u>	

In the matter between:

MEC: LIMPOPO DEPARTMENT OF EDUCATION

FIRST APPLICANT

v

MONKWE DIETRICKS SERVICES (PTY) LTD

FIRST RESPONDENT

ALIJOY TRADING ENTERPRISE (PTY) LTD

SECOND RESPONDENT

NKASI GENERAL TRADING (PTY) LTD

THIRD RESPONDENT

SUCESFUL BIDDERS: BID No: LDE/B52/2019/20

FOURTH RESPONDENT

In Re:

MONKWE DIETRICKS SERVICES (PTY) LTD

FIRST APPLICANT

ALIJOY TRADING ENTERPRISE (PTY) LTD

SECOND APPLICANT

NKASI GENERAL TRADING (PTY) LTD

THIRD APPLICANT

and

MEC: LIMPOPO DEPARTMENT OF EDUCATION

FIRST RESPONDENT

SUCESFUL BIDDERS: BID No: LDE/B52/2019/20

SECOND RESPONDENT

LEAVE TO APPEAL JUDGMENT

MANGENA AJ

- [1] The Applicant seeks leave to appeal a whole of the judgment and orders delivered by this court on 22 February 2022.
- [2] The grounds of appeal are set out in the application for leave to appeal and were amplified in both the written heads of argument and oral submissions.
- [3] I have given due considerations to the grounds of appeal and took great care to revisit the authorities referred to by counsel with a view to establish if indeed there were misdirections as contended by the applicant.
- [4] Having considered the submissions and the authorities relied upon, I am not persuaded that the applicant met the threshold required for the granting of the leave to appeal, namely that the appeal would have a reasonable prospect of success.
- [5] Consequently the application for leave to appeal is dismissed with costs.


MANGENA AJ

Acting Judge of the High Court
Limpopo Division, Polokwane

APPEARANCES:

HEARD ON : **29 June 2023**

JUDGMENT DELIVERED ON : **20 July 2023.** This judgment was handed down electronically by circulation to the parties' representatives by email. The date and time for hand-down of the judgment is deemed to be **20 July 2023 at 12:00**

FOR THE APPLICANT : Adv. Ramawele SC
Adv. Gaisa

INSTRUCTED BY : State Attorneys

FOR THE RESPONDENT : Adv. MR Maphuta
INSTRUCTED BY : Gwebu Inc Attorney
c/o Michael Raphela Attorneys