



**IN THE HIGH COURT OF SOUTH AFRICA  
GAUTENG DIVISION, JOHANNESBURG**

**Case No:** 2020/18623, 2020/18624 & 2020/18626

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

9 MAY 2024

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WRIGHT J

In the matter between:

**INSTRUMENT TRANSFORMER TECHNOLOGIES (PTY) LTD**

Applicant

and

**ESKOM HOLDINGDS SOC LIMITED**  
Respondent

1st

**YURISHA PILLAY**

2nd Respondent

**LERATO MORIFE**

3rd Respondent

**ACTOM HIGH VOLTAGE EQUIPMENT (PTY) LTD**

4th Respondent

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**Applications for leave to appeal**

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**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.

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**GC Wright****Judge of the High Court**

**Gauteng Division, Johannesburg**

**HEARD : 9 May 2024**

**DELIVERED : 9 May 2024**

**APPEARANCES :**

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