

**IN THE HIGH COURT OF SOUTH AFRICA**

**(GAUTENG DIVISION, PRETORIA)**

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| **DELETE WHICHEVER IS NOT APPLICABLE****(1) REPORTABLE: NO.****(2) OF INTEREST TO OTHER JUDGES: NO.****(3) REVISED.****2024-05-17****DATE SIGNATURE** |

Case Number: 2023-046691

In the matter between:

**BEYOND FORENSICS (PTY) LTD** Applicant

and

**THE NATIONAL COMMISSIONER, SOUTH**

**AFRICAN POLICE SERVICE** First Respondent

**THE DEPUTY NATIONAL COMMISSIONER OF SUPPORT**

**SERVICES OF THE SOUTH AFRICAN POLICE SERVICE** Second Respondent

**THE ACTING SECTION HEAD OF PROCUREMENT**

**MANAGEMENT OF THE SOUTH AFRICAN POLICE SERVICE** Third Respondent

**THE BID EVALUATION COMMITTEE OF THE SOUTH**

**AFRICAN POLICE SERVICE** Fourth Respondent

**THE BID ADJUDICATION COMMITTEE OF THE SOUTH**

**AFRICAN POLICE SERVICE** Fifth Respondent

**ECM GROUP (PTY) LTD T/A ECM TECHNOLOGIES** Sixth Respondent

**ACINO FORENSICS (PTY) LTD** Seventh Respondent

*This judgment was prepared and authored by the Judge whose name is reflected and is handed down electronically by circulation to the Parties/their legal representatives by email and by uploading it to the electronic file of this matter on CaseLines. The date for handing down is deemed to be 17 May 2024.*

**JUDGMENT: APPLICATION FOR LEAVE TO APPEAL**

**POTTERILL J**

[1] I read the arguments before Tolmay J, the judgment, the applicant’s leave to appeal and the written heads submitted pertaining to the application for leave. I have also listened to argument.

[2] In terms of s17 of the Superior Courts Act 10 of 2013 leave to appeal may only be given where a Judge is of the opinion that the appeal would have a reasonable prospect of success, or there is some other compelling reason why the appeal should be heard.

[3] There is no compelling reason why the appeal should be heard; I find no important points of law that warrant a consideration by a higher court.

[4] I am also unpersuaded that the appeal would have a reasonable prospect of success.

[5] The application for leave to appeal is dismissed with costs, including the costs of two counsel if so employed. Costs pertaining to work done after 1 April 2024 are awarded on scale C.

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**S. POTTERILL**

**JUDGE OF THE HIGH COURT**

CASE NO: 2023/046691

HEARD ON: 16 May 2024

FOR THE APPLICANT: ADV. S. GROBLER SC AND ADV. P. VOLMINK

INSTRUCTED BY: Dirk Kotze Attorneys c/o Alant, Gell & Martin Inc.

FOR THE 1ST TO 5TH RESPONDENTS: ADV. Z.Z. MATEBESE SC AND ADV. V. PILLAY

INSTRUCTED BY: The State Attorney

FOR THE 6TH RESPONDENT: ADV. C.M. RIP AND ADV. M. DU PLESSIS

INSTRUCTED BY: Thompson Attorneys c/o Hack, Stupel & Ross Attorneys

FOR THE 7TH RESPONDENT: ADV. R. MOULTRIE SC AND ADV. M.Z. GWALA

INSTRUCTED BY: Webber Wentzel

DATE OF JUDGMENT: 17 May 2024