



IN THE HIGH COURT OF SOUTH AFRICA
(GAUTENG DIVISION, PRETORIA)

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.

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