



**IN THE SPECIAL TRIBUNAL ESTABLISHED IN TERMS OF SECTION 2 (1) OF
THE SPECIAL INVESTIGATING UNIT AND
SPECIAL TRIBUNALS ACT 74 OF 1996
(REPUBLIC OF SOUTH AFRICA)**

BEFORE THE HONOURABLE MADAM JUSTICE VICTOR

CASE NO: KN/10/2021

Order granted electronically *via* Microsoft Teams.

In the matter between:

SPECIAL INVESTIGATING UNIT

APPLICANT

and

NGEZOLUSHA TRADING (PTY) LTD

FIRST RESPONDENT

MEC FOR THE DEPARTMENT OF SOCIAL DEVELOPMENT

KWAZULU NATAL

SECOND RESPONDENT

This Order is made an Order of Court by the Judge whose name is reflected herein, duly stamped by the Registrar of the Court and is submitted electronically to the Parties/their legal representatives by email. This Order is further uploaded to the electronic file of this matter on

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Case Lines by the Judge or his/her Secretary. The date of this Order is deemed to be the date that is submitted electronically to the parties.

ORDER

It is ordered that:

1. The decision of the Department of Social Development to award the Request for Quotation under order number A0749186 to the First Respondent, is reviewed and set aside.
2. The appointment of the First Respondent by the Second Respondent under order number A0749186 is declared to be invalid and set aside.
3. The First Respondent is directed to submit to a full debatement of account of the payments received under the contract and all the costs incurred in order to meet their obligations in respect of the contract, supported by the necessary vouchers within 30 days of the date of this order.
4. In the event of the Applicant disputing the debatement of account by the First Respondent, it shall be entitled to subject the debatement of account to an audit by its auditors within 60 days of receipt of the First Respondent's debatement of account.
5. The First Respondent to make payment to the Applicant of whatever profits earned by the Second Respondent upon debate of the account.

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6. In the event that a dispute arises between the parties regarding the implementation of this order, the parties may approach the Tribunal for an appropriate order.

7. In the event that costs are not agreed:-

7.1 the Applicant shall serve a Notice of Taxation on the First Respondent; and

7.2 the Applicant shall allow the Second Respondent to make payment within 7 (seven) days of being served with the taxed costs.




JUDGE MARGARET VICTOR
PRESIDENT OF THE SPECIAL TRIBUNAL

Counsel for the Applicant

Reshma Athmaram

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DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT	
SPECIAL TRIBUNAL	
CNR AMANDA AVENUE & RIFLE RANGE ROAD, OAKDENE	
	2024 -12- 11
C/A No: One	Signature of Issuing Officer: <i>N. N. N. N.</i>
REGISTRAR	Name: <i>N. N. N.</i>

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