

**IN THE SPECIAL TRIBUNAL
HELD AT BOOYSEN MAGISTRATES COURT**

"X"

19-08-2025

Case Number: GP03/2024

**BEFORE HONOURABLE JUSTICE PETERSEN ADJP (NORTH WEST
DIVISION) ON 19 AUGUST 2025 VIRTUALLY**

This order is made an order of Court by the Judge whose name is reflected hereon, duly stamped by the Registrar of the Court and is submitted electronically to the parties and/or their legal representatives by email. The Order is further uploaded to the electronic file of this matter on Caselines by the Judge or her secretary/registrar. The date of this order is deemed to be 19 August 2025.

In the matter between:

SPECIAL INVESTIGATING UNIT

Applicant

and

**ORATILWE CONSULTANTS CC [2003/050904/23]
t/a EXCLUSIVE MANAGEMENT SERVICES**

1st Respondent

JULUIS LENNIE MEKWA

2nd Respondent

GAUTENG ENTERPRISE PROPELLER

3rd Respondent

DRAFT COURT ORDER (AS AMENDED)

**HAVING HEARD THE COUNSEL FOR THE APPLICANT, AND HAVING READ
THE PAPERS ON RECORD, the following order is made:**

1. That the decision of the Bid Adjudication Committee ("BAC") dated 14 November 2017 to approve the appointment of the First Respondent in terms Tender GEP/02/06/MRK ("the Tender") is declared invalid, reviewed and set aside.
2. That the Service Level Agreement ("SLA") entered between the Third Respondent ~~Applicant~~ and the First Respondent dated 20 December 2017, pursuant to the tender GEP02/06/MRK, is declared invalid, reviewed and set aside.
3. That the Tribunal, in terms of section 8(2)(b) of the Special Tribunal Units and Special Tribunals Act ("SIU Act") orders that: -
 - 3.1. The First and Second Respondents are ordered to, within 30 (thirty) days of this order, provide to the ~~parties~~ Applicant and the Third Respondent, the Audited Financial Statements, invoices and/or any supporting documents regarding its income and expenses for the period of the implementation of the SLA.
 - 3.2. The Third Respondent must within 60 (sixty) days of receipt of the documents referred to in 3.1 above, inform the First and Second Respondents of the amount relating to the profit that must be paid back to the Third Respondent.

3.3. If a dispute arises regarding the amount to be paid back by the First and Second Respondents, the matter may be re-enrolled for a determination by the Tribunal.

3.4. The parties may approach the Tribunal for directives on any issue regarding the orders herein.

4. Costs including the costs of two counsel.



BY ORDER OF THE COURT

REPRESENTATIVES FOR THE APPLICANT

STATE ATTORNEY PRETORIA

Tel: 012 309 1641

Email: StZondi@justice.gov.za

ADV BALOYI-MERE SC

Tel: 082 679 2181

Email: baloyi-mere@loftusadv.co.za

ADV. MS MANGANYE

Email: manganyesalome@loftusadv.co.za

Tel: 082 308 4245

