



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

**CASE NUMBER: 091385/2023**

In the matter between:

**SMEC SOUTH AFRICA (PTY) LTD**

**APPLICANT**

and

**SOUTH AFRICAN ROAD AGENCY SOC  
LTD**

**RESPONDENT**

Judgment is herewith provided electronically by circulation to the parties' representatives by email and uploaded on CaseLines. The date and time for it is deemed to be 10h00 on 8 February 2024.

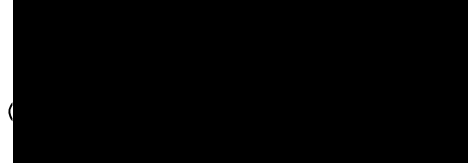
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**JUDGMENT**

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**LE GRANGE AJ:**

The application for leave to appeal is dismissed with costs, to include the cost of senior counsel, on the grounds that there is no reasonable prospect of success in an appeal and there is no other compelling reason why an appeal should be heard.



**AJ LE GRANGE**

ACTING JUDGE OF THE HIGH COURT OF SOUTH AFRICA

GAUTENG DIVISION, PRETORIA

**DATE OF HEARING: 5 February 2024**

**DATE OF JUDGMENT: 8 February 2024**

**APPEARANCES**

|                     |                                               |
|---------------------|-----------------------------------------------|
| For the applicant:  | G Shakoane SC                                 |
|                     | On instruction of Phaleng-Podile Attorneys    |
| For the respondent: | S D Wagener SC                                |
|                     | On instruction of Weavind & Weavind Attorneys |