KWAZULU-NATAL PROVINCE
PUBLIC WORKS AND INFRASTRUCTURE
REPUBLIC OF SOUTH AFRICA

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MEDIA STATEMENT

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HIGH COURT RULES IN FAVOR OF KZN PUBLIC WORKS AND INFRASTRUCTURE

The KwaZulu-Natal Department of Public Works and Infrastructure welcomes today's judgment of the High Court in Pietermaritzburg, dismissing with costs the urgent application brought by Janora Trading (Pty) Ltd. The application sought to halt bid ZNT 6092W, an open, competitive tender for long-term office accommodation for a client Department in Ladysmith.

The Court found that the matter was not urgent and that no right had been established to justify interdicting the Department's lawful processes. The tender will proceed as advertised, and the Department remains committed to securing safe, suitable and cost-effective accommodation for public servants.

The High Court's decision is in line with the Department's mandate of ensuring that every member of the public is afforded an equal opportunity to bid for government tenders. The Head of Department, Dr Vish Govender, have on many occasions affirmed his commitment to ensuring that the new KZN Department of Public Works and Infrastructure opens opportunities for all. Accordingly, all lease agreements must go through the proper supply chain management channels and procedures.

Furthermore, the ruling affirms the Department's commitment to open, transparent and competitive procurement, as required by Section 217 of the Constitution and the Public Finance Management Act (PFMA).

The Court confirmed that no legal basis had been established to justify interdicting the Department's lawful procurement processes. It also recognised that the Department is entitled to determine its own bid requirements in accordance with the operational needs of client departments.

The Court further found that the application was not urgent, as the applicant had been aware of the Department's position since April 2025. Consequently, the application was dismissed with costs on Scale B, including the costs of senior counsel. The ruling by the Pietermaritzburg High Court also means that the costs of defending the matter do not have to be borne by the public purse, allowing taxpayers' money to remain focused on service delivery.

The Department extends its sincere gratitude to its legal team and to Adv. V. Naidoo SC for their diligent and skilled representation under extremely tight timelines.

Issued by the KwaZulu-Natal Department of Public Works and Infrastructure

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