



**THE SUPREME COURT OF APPEAL OF SOUTH AFRICA**  
**MEDIA SUMMARY OF JUDGMENT DELIVERED IN THE SUPREME COURT OF**  
**APPEAL**

**From:** The Registrar, Supreme Court of Appeal

**Date:** 30 May 2025

**Status:** Immediate

*The following summary is for the benefit of the media in the reporting of this case and does not form part of the judgments of the Supreme Court of Appeal*

*Aptitude Trading Enterprise (Pty) Ltd v The City of Tshwane Metropolitan Municipality and Another*  
(251/2024) [2025] ZASCA 72 (30 May 2025)

---

Today, the Supreme Court of Appeal (SCA) dismissed, with no order as to costs, an appeal against the judgment of the Gauteng Division of the High Court, Pretoria (the high court). The appellant, Aptitude Trading Enterprise (Aptitude) challenged the awarding of a municipal tender (HHS01 2021/2022) for mobile water tankers. The high court initially set aside the tender but suspended the invalidity to allow the respondents time to award a new tender. The suspension was extended multiple times by different judges until a new tender was awarded on 30 November 2023.

The main issue on appeal was whether the court could validly extend a lapsed suspension order. Aptitude argued the appeal raised a legal issue of public importance, even if moot. The respondents contended the matter was moot with no practical effect.

The SCA found the appeal moot because the new tender had been awarded and the suspension had lapsed. This Court declined to rule on a moot issue that would serve only as legal advice or an academic opinion. It noted the municipality's pattern of delayed compliance but saw no benefit in addressing the merits.

As a result, the SCA dismissed the appeal with no order as to costs.

-----oOo-----