



COMPETITION TRIBUNAL OF SOUTH AFRICA

Case No.: CR024May15/DSM093Aug19

In the dismissal application between:

Precision & Sons (Pty) Ltd

Applicant

and

Competition Commission

First Respondent

Eldan Auto Body CC

Second Respondent

Case No.: CR024May15

In re complaint referral between:

Competition Commission

Applicant

and

Eldan Auto Body CC

First Respondent

Precision & Sons (Pty) Ltd

Second Respondent

| | |
|------------|--------------------------------|
| Panel | : E Daniels (Presiding Member) |
| | : Y Carrim (Tribunal Member) |
| | : AW Wessels (Tribunal Member) |
| Heard on | : 14 November 2019 |
| Decided on | : 18 November 2019 |

ORDER

KINDLY TAKE NOTICE THAT after hearing the parties in the matter above, the Competition Tribunal orders as follows:

1. The applicant's dismissal application under case number CR024May15/DSM093Aug19 is hereby dismissed.
2. There is no order as to costs.

3. Reasons for decision will follow.
4. The parties must make necessary arrangements in obtaining a date for a pre-hearing at which the following issues must be resolved:
 - 4.1 The Competition Commission ("Commission") must state whether it will be relying on the evidence of Mr Gibson Homan ("Mr Homan") and / or will lead Mr Fhatuwani Mudimeli as a factual witness; and
 - 4.2 Hearing dates for the main matter (case number CR024May15) to be decided on an urgent basis, which will be at the convenience of the Tribunal and not dependent on the availability of Mr Homan or counsel of the Commission or the respondents.



**Presiding Member
Mr Enver Daniels**

18 November 2019
Date

Ms Yasmin Carrim and Mr Andreas Wessels concurring.