

*Parastatal Company- Eskom – Tenders invited- rules applicable to granting – bound by provisions of Constitution and Promotion of Administrative Justice Act 3 of 2000.*

*Company making tender – to be distinguished from shareholders – principles applicable*

*Awarding of tender – reliance on information relating to shareholder of tenderer, not tenderer –not objectively rational –acceptance of tender reviewed and set aside.*

*Discretion in making order- considerations to be taken into account.*