

MERGER DECISION NO 1: 2026

Notice in Terms of Section 53(4) (a)(ii) of the Competition Act 2018

DECISION ON THE ASSESSMENT OF THE PROPOSED ACQUISITION OF 100% OF SHAREHOLDING IN WIND-DORF (PTY) LTD BY LEFIKA JAMES CHAUHAN AND LEAH MANI CHAUHAN

Introduction of the Merging Parties

Pursuant to section 53(4)(a)(ii) of the Competition Act, 2018 (“the Act”), notice is hereby given on the decision made by the Competition and Consumer Authority (“the Authority”) in relation to the proposed acquisition of 100% shareholding in Wind-Dorf (Pty) Ltd (“Wind-Dorf” or “Target Enterprise”) by Lefika James Chauhan and Leah Mani Chauhan (both the “Acquiring Enterprise” or the “Acquirers” or the “Chauhans”). The proposed merger is an acquisition of the Target Enterprise together with an immovable property which is a warehouse situated at Plot 43167.

Merging Parties

The Acquiring Enterprise is made up of two individuals, a male and female of full legal capacity. The Acquiring Enterprise is therefore not controlled by any other business. On the other hand, the Target Enterprise is an entity registered in accordance with the Laws of Botswana and it is not controlled, nor does it control any other enterprise.

Relevant Markets

An assessment of the markets of the Merging Parties in Botswana has revealed that the Target is involved in the business of leasing of a warehouse property. Furthermore, the Acquirers have interests in a few more companies and one of them is Chesham Peak (Pty) Ltd which is active as a property company. Therefore, there is a horizontal overlap in the activities of the Merging Parties. However, the assessment of the merger has demonstrated that the identified overlap would not have the effect of substantially preventing or lessening competition in any market that may be found to exist in Botswana upon the implementation of the proposed merger.

Competitive Analysis and Public Interest

Based on the assessment findings, the structure of the relevant market is not expected to change upon implementation of the proposed merger and the proposed transaction is not likely to result in a substantial lessening of competition, contribute to acquisition of dominance nor endanger the continuity of service in the market under consideration. Furthermore, the proposed merger will not have any negative effect on public interest matters in Botswana as per the provisions of section 52(2) of the Act 2018.

The Determination

The Authority determined through the analysis of the facts of the merger that the structure of the relevant market will not significantly change in Botswana upon the implementation of the proposed merger.

Pursuant to the provision of section 53 of the Act, the Authority has unconditionally approved the proposed acquisition of 100% shareholding in Wind-Dorf (Pty) Ltd by Lefika James Chauhan and Leah Mani Chauhan.

However, as stated under section 61 of the Act, this approval does not override or negate any other mandatory statutory approvals or processes that any of the parties to this merger must comply with under the Laws of Botswana.

Dated at Gaborone on this 26th day of January 2026.

Ernest Bagopi, Acting Chief Executive Officer, Competition and Consumer Authority,
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