IN THE HIGH COURT OF SOUTH AFRICA

GAUTENG DIVISION, JOHANNESBURG

CIVIL TRIAL DEFAULT JUDGEMENT: 03-06 NOVEMBER 2026

BEFORE THE HON JUDGE: MAKGATE AJ

SECRETARY: SINGAWO RAMNCWANA
Email: SRamncwana@judiciary.org.za
Chamber 805-ext 010 494 7127

PLEASE NOTE THE FOLLOWING DIRECTIONS BY THE PRESIDING JUDGE:

1. Unless otherwise there is anything pressing that the parties would like to bring to the attention of the Judge in chambers, Counsel will introduce themselves in Court upon their matters being called on record.

2. For further information or just about any other related queries, parties are at liberty to get hold of my secretary whose details appear on the face of the roll above.

3. Matters will be called from **09h30** in open court on the day listed below. Matters to be removed from the roll or which have been settled (including any such matter listed for any subsequent day in the week) may be mentioned first, whereafter the remaining matters for the day will be called in the order that they are listed below.

4. **Save in the event of "crowding out", matters will not be allowed to stand down until later in the week. If counsel is not present and has not been excused when the matter is called, the matter will be moved to the end of the roll for the day and called again. If counsel is not present when the matter is called for a second**

time, the matter will be struck from the roll. Matters that will be allowed to stand down will be for settlement purposes and/ or a draft order only.

5. A draft order specifying the precise relief that will be sought in view of the evidence to be adduced must be available at the hearing. All draft orders should specify:
   5.1 the date of the hearing, number on the roll and the presiding judge's name (i.e. Makgate AJ) in the heading; and
   5.2 the name of the practitioner moving the application and the name, phone number and email address of the instructing attorney at the foot of the document.

6. The provisions of Consolidated Practice Directive 1 of 2024, as amended on 12 June 2024 ("**the CPD**") will be strictly applied, particularly paragraph 22.1 thereof, read with paragraphs 19.5, 19.8, Annexure 5.2 and paragraph 27.12 (if applicable).

7. Save in the event that such information is already contained in the practice note referred to in paragraph 6 of the compliance statement (Annexure 5.2 to the CPD) or in another document already uploaded to Caselines, the representative moving the default judgment application shall prior to 12h00 on the court day before the **hearing upload a written note containing the following information:**

   7.1 The location in the Caselines file of the notice of motion and affidavit referred to in paragraph 5 of Annexure 5.2 to the CPD, together with proof that it and the notice of set down have been served on the RAF;

   7.2 A summary of the argument to be made in view of the evidence to be adduced in support of the defendant's liability and as to the computation of the *quantum* of damages sought in the draft order, with specific reference to each head of damage, including *inter alia*:
      7.2.1 liability of the defendant with reference to the specific provisions of the Road Accident Fund Act, 56 of 1996 as may be applicable, in particular in

relation to general damages and the serious injury assessment report contemplated in s 17(1);

7.2.2 where general damages are claimed, a list of the authorities relied upon, including a brief description of injuries, *quantum* awarded and the value of such awards in current monetary terms;

7.2.3 where damages for loss of income and/or income earning capacity are claimed, a summary of the submissions to be made in relation to both (i) the pre- and post-accident scenarios; and (ii) the pre- and post-accident contingencies deductions; and

7.2.4 where damages for past medical, hospital and/or related costs are claimed, a summary of the submissions to be made as to the reasonableness and veracity of the incurrence of such costs, as well as confirmation of as to whether any interim payments have been made and if so, the details thereof; and

7.2.5 Where the award claimed is to be protected by way of a trust, the location in the Caselines file of the trust deed and the trustee's consent.

8. <u>None compliance with paragraph 7 above will result in the matter being removed from the roll.</u>

9. Where evidence is to be adduced on affidavit, the representative seeking to do so must be in a position to hand the affidavit up and to satisfy the court that it has been duly commissioned.

10. Representatives are requested to bear in mind that:

10.1 an expert report that is not confirmed on oath by such expert is not admissible;

10.2 expert reports (even when confirmed on oath) do not constitute proof of factual material on which they are based if not directly observed by the expert in question;

10.3 depending on the circumstances, it may thus be necessary to adduce the oral or affidavit evidence of the plaintiff or injured person or other relevant factual witnesses to prove such factual material; and

10.4 depending on the circumstances, it may be acceptable for such witness(es) to state that they have read one or more specifically identified expert reports and that they confirm that all (or some specific portion) of the factual contents thereof are true insofar as it relates to that Plaintiff.

11. Should a matter become settled, the court will consider making the settlement an order of court if the following documents have been uploaded to Caselines in advance of the hearing date:

    11.1 the documents referred to in paragraph 20.3.2 of the CPD and in paragraph 5 of Annexure 5.3 thereto (Note: (i) the draft order should reflect and expressly refer to the fact that the matter has been settled; (ii) no order will be made if it is not demonstrated that the defendant has consented to a draft order in the precise terms presented to the court; and (iii) inclusion of items such as particular costs, e.g., experts' fees, etc., in a draft order to give effect to a settlement where there is no written agreement between the parties in respect thereof is inappropriate); and

    11.2 if applicable, affidavits of attorney and plaintiff in compliance with section 4 of the Contingency Fees Act, 66 of 1997: the attention of practitioners is drawn to the requirements referred to and summarised in paragraphs 16 to 20 of *Mbethe v Road Accident Fund* [2023] ZAMPMBHC 5, and the cases referred to therein.

12. Parties and representatives are required to view, and comply with, any directives contained in "Widely Shared Notes" that may be uploaded to Caselines by the court.

ALLOCATIONS

1. TUESDAY 03 NOVEMBER 2026

MATTERS NO 1 – 25

2. **THURSDAY – 05 NOVEMBER 2026**

   MATTERS NO 26– 51

3. **FRIDAY – 06 NOVEMBER 2026**

   MATTERS NO 52 – 67

NUMBER ON ROLL	CASE NO	PARTIES	DATE APPLIED	GRANTED	DISMISS / WITHDRAWN	SETTLED
1.	2018/22709	MARAJANE MAMSEBETSI SOFIE obo MBELE THABO FORTUNATE VS ROAD ACCIDENT FUND	18/5/26			
2.	2023/20957	DITIRE KEOTHAILE DAVID VS ROAD ACCIDENT FUND	21/9/26			
3.	2026/172493	ELIZABETH MDLULI obo HOITSIMANG MDLULI VS ROAD ACCIDENT FUND	15/9/26			
4.	2026/001189	TSOTETSI TEBELLO TUMELO VS ROAD ACCIDENT FUND	22/7/26			
5.	2026/038002	TEBOGO INNOCENT MAMPANE VS ROAD ACCIDENT FUND	15/9/26			
6.	2024/077763	LIZL SMITH N.O WINNIFRED GUNGU VS ROAD ACCIDENT FUND	22/1/26			
7.	2025/111940	LEHLOHONOLO GOODWILL CHOMANE VS ROAD ACCIDENT FUND	15/7/26			
8.	2024/051305	UNATHI SETSHABA MOLOI VS ROAD ACCIDENT FUND	10/7/26			

9.	2024/105080	EDWARD MOYO VS ROAD ACCIDENT FUND	11/3/26			
10.	2026/060685	MBALA REFILOE ESTHER VS ROAD ACCIDENT FUND	19/8/26			
11.	2025/122825	MTSHALI MUSA KATLEGO VS ROAD ACCIDENT FUND	23/3/26			
12.	2025/032392	KEKELETSO THERESIA ONYEMA VS ROAD ACCIDENT FUND	2/4/26			
13.	2023/11203	SHARLOTTE NOMPUMELELO JADULA obo LUSANDA JADULA AND A JADULA VS ROAD ACCIDENT FUND	11/6/26			
14.	2026/07338	RHULANI HLUNGWANE VS ROAD ACCIDENT FUND	17/6/26			
15.	2026/044598	RANGATA MOSWESWE VS ROAD ACCIDENT FUND	22/4/26			
16.	2025/103831	JUNIOR MOTHLENI VS ROAD ACCIDENT FUND	17/8/26			
17.	2024/104747	JOSEPH SOZABILE MBONANI VS ROAD ACCIDENT FUND	14/8/26			
18.	2022/046259	ZANDILE NDABA VS ROAD ACCIDENT FUND	14/8/26			
19.	2025/098273	COSTODIA MONI BITTERBOSCH VS ROAD ACCIDENT FUND	11/3/26			
20.	2021/24869	ZIKHONA POKOLO VS ROAD ACCIDENT FUND	20/8/26			

21.	2024/071941	MDLALOSE SIMPHIWE PATIENCE VS ROAD ACCIDENT FUND	25/8/26			
22.	2025/205595	KRUGER LORETTA obo NINA VS ROAD ACCIDENT FUND	13/4/26			
23.	2023/003280	R J MANDAVHA VS ROAD ACCIDENT FUND	31/3/26			
24.	2025/002584	A CILLIERS VS ROAD ACCIDENT FUND	7/4/26			
25.	2023/031299	JEPHAT DUMANI VS ROAD ACCIDENT FUND	27/6/26			
26.	2026/003301	MOSHE SIKO VS ROAD ACCIDENT FUND	25/3/26			
27.	2025/203860	MARIA JOHANNA MAGRIETHA COETZER obo CORNELIS GIDEON WAGENER VS ROAD ACCIDENT FUND	27/3/26			
28.	2025/000727	ZULU SIMPHIWE VS ROAD ACCIDENT FUND	25/8/26			
29.	2019/9506	KUTASE LULAMA obo KUTASE SAMKELO VS ROAD ACCIDENT FUND	3/7/26			
30.	2025/046851	KAKAZA SIKELELA vs ROAD ACCIDENT FUND	30/7/26			
31.	2019/33070	DOHO NELSON ALBERTO VS ROAD ACCIDENT FUND	8/9/26			
32.	2023/62376	DAVE SMITH VS ROAD ACCIDENT FUND	19/3/26			

33.	2023/223	JILLAIN BERNICE KLEIN VS ROAD ACCIDENT FUND Case bundle indicated as duplicate	19/3/26			
34.	2024/007708	S L DLAMINI VS ROAD ACCIDENT FUND	9/9/26			
35.	2024/038053	MNCUBE TOBIAS VS ROAD ACCIDENT FUND	6/8/26			
36.	2021/13118	HADEBE BUHLE LUNGILE VS ROAD ACCIDENT FUND	25/8/26			
37.	2026/126596	NOVEMBER MVULENI NEO JOY VS ROAD ACCIDENT FUND	12/8/26			
38.	2026/077599	ZAKHITHI PRINCESS SIKHAKHANE obo N S SIKHAKHANE VS ROAD ACCIDENT FUND	10/9/26			
39.	2026/077572	THAPELO MOAGI VS ROAD ACCIDENT FUND	10/9/26			
40.	2023/1328	JOYCE MUKONDI LUVHENGO VS ROAD ACCIDENT FUND	30/9/26			
41.	2019/4283	BREVIS RUDI GRANVILLE VS ROAD ACCIDENT FUND	6/6/26			
42.	2023/114628	SMIT ZECA VS ROAD ACCIDENT FUND	15/4/26			
43.	2020/10978	DELPORT STEPHANUS PHILLIPPUS VS ROAD ACCIDENT FUND	25/8/26			
44.	2024/106700	BRIAN BHABHA RADEBE obo SANELE LWANDLE RADEBE VS ROAD ACCIDENT FUND	21/8/26			

45.	2025/44083	MABUNDA MUXE BRUCE VS ROAD ACCIDENT FUND	4/9/26			
46.	2025/234679	CHETTY LAWRENCE VS ROAD ACCIDENT FUND	8/4/26			
47.	2026/165931	MPENDULO KANYA YANGA VS ROAD ACCIDENT FUND	4/9/26			
48.	2021/17546	SUSHICA MAHARAJ VS ROAD ACCIDENT FUND	10/6/26			
49.	2024/123930	ZIYANDA NCWADI VS ROAD ACCIDENT FUND	11/9/26			
50.	2023/129540	NKOSI AUGUSTINA VS ROAD ACCIDENT FUND	5/6/26			
51.	2026/017057	LAHLOE MARIA MADIEGE VS ROAD ACCIDENT FUND	24/8/26			
52.	2025/182590	THOKOMELE NOMPUMELELO NDWANDWE VS ROAD ACCIDENT FUND	31/8/26			
53.	2026/025376	GIFT MPHO SENOKOANE VS ROAD ACCIDENT FUND	18/5/26			
54.	2026/081792	MABONA TINYIKO PROMISE VS ROAD ACCIDENT FUND	4/9/26			
55.	2026/005731	JACOBS WILLIAM JIMMY VS ROAD ACCIDENT FUND	31/8/26			
56.	2026/135930	MARLIZE LELANIE WILKINS VS ROAD ACCIDENT FUND Matter is inaccessible on Case Line	24/8/26			
57.	2025/156330	RUAN DU PREEZ VS ROAD ACCIDENT FUND	1/6/26			

58.	2020/20939	JONKER CORNELIUS JOHANNES VS ROAD ACCIDENT FUND	4/8/26			
59.	2022/26607	DUNN JOHN WILLIAM VS ROAD ACCIDENT FUND	14/7/26			
60.	2024/137848	DLADLA NOMFESANE VS ROAD ACCIDENT FUND	6/7/26			
61.	2022/047127	MALOBEKA MABJALWA DESMA VS ROAD ACCIDENT FUND Case line bundle indicated as duplicate	14/7/26			
62.	2022/23441	ABONGILE MICHEAL MATANGA VS ROAD ACCIDENT FUND	9/3/26			
63.	2016/14393	JEFFREY RASEMATE BALOYI VS ROAD ACCIDENT FUND	2/9/26			
64.	2023/052006	MULA ESMERALDO FRANCISCO VS ROAD ACCIDENT FUND	7/9/26			
65.	2023/052003	NDLOVU SICELESILE VS ROAD ACCIDENT FUND	20/4/26			
66.	2026/043338	LUCINDA BRAND N.O THE MINOR FRANS ROBERT BRAND VS ROAD ACCIDENT FUND No case line bundle	16/9/26			
67.	2021/6889	JACOBUS ALWYN BLOM BURGER VS ROAD ACCIDENT FUND	10/7/26			

68.	2025/136554	SABELO JOSEPH KHAMBULE VS ROAD ACCIDENT FUND Matter is erroneously enrolled- removed from the roll	16/9/26			
MATTERS REMOVED FROM THE ROLL (NO PRACTIE NOTE UPLOADED OR REMOVED BY NOTICE /SETTLED)						
1.	2024/141792	MUSAWAKHE SITHEMBISO NGUBANE VS ROAD ACCIDENT FUND	20/8/26			
2.	2026/167657	MASILELA MBUSO THANDO VS ROAD ACCIDENT FUND	25/8/26			
3.	2026/168641	CARNEL MASHANE VS ROAD ACCIDENT FUND	17/8/26			
4.	2026/169350	SENZO ANDRIES SODLADLA VS ROAD ACCIDENT FUND	12/8/26			
5.	2026/018568	RADEBE THANDIWE VS ROAD ACCIDENT FUND	24/8/26			
6.	2014/11485	FELICIO JUNIOR SITOE MUJEQUE VS ROAD ACCIDENT FUND	14/4/26			
7.	2026/078518	ZANELE MCETYWA VS ROAD ACCIDENT FUND	3/7/27			
8.	2023/047504	PHINDILE ISABEL MADONSELA VS ROAD ACCIDENT FUND	17/8/27			
9.	2019/07870	MAOTO HAPPY VS ROAD ACCIDENT FUND	26/8/26			
10.	2026/121628	LUZIPHO SOKHANA VERONICA obo LUZIPHO ASIVILE VS ROAD ACCIDENT FUND	16/9/26			

11.	2025/054636	JOYCE NOMALANGA SITHOLE VS ROAD ACCIDENT FUND	22/7/26			

PRACTICE NOTES RECEIVED, MATTERS NOT ON THE ROLL, COURT FILES ARE NOT WITH ROLL CALLING JUDGE

1. Kindly approach the registrar, Ms T. Khumalo (TKhumalo@judiciary.org.za /010 494 8397) with the necessary documentation and a request that the matter be enrolled.

2. If the registrar approve the enrolment, the matter may be enrolled and dealt with.