**REPUBLIC OF SOUTH AFRICA**

**IN THE HIGH COURT OF SOUTH AFRICA**

**GAUTENG DIVISION, JOHANNESBURG**

# CIVIL TRIALS (RAF DEFAULT JUDGMENTS)

**12 - 15 MAY 2026 (TERM 2, WEEK 5)**


**Before:** **KHABA AJ**
**Court:** Refer to daily roll
**Secretary:** Miss Matau Rammutedi
**Email:** MRammutedi@judiciary.org.za
**Tel:** 010 494 8375


## DIRECTIVES

1. The matters enrolled on the RAF trial default judgment roll before Khaba AJ in Term 2, week 5 are listed below. Attorneys for parties in matters annotated with "duplicate bundles" are required to ensure that Khaba AJ has been invited to the correct bundle by no later than 12h00 on Thursday, 07 May 2026.
2. In the event of any removals or settlements, representatives are to immediately place a note on Caselines and notify the Judge's secretary by e-mail in order to avoid unnecessary reading of matters.
3. Court will commence at 10h00. Introductions will be done in Court. Matters will be heard 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.

5. Draft orders in both .pdf and Word format 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. Khaba 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

7.3 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. 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.

9. Representatives are requested to bear in mind that:

9.1 An expert report that is not confirmed on oath by such expert is not admissible.

9.2 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.

9.3 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

9.4 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.

10. 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:

10.1 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

10.2 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. Paragraph 8 (above) will be applied.

11. 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.

| NO. | CASE NO. | PARTIES | DATE |
|---|---|---|---|
| 1. | 2023-27788 | CWAILE MK OBO TSHEPANG V RAF | Tuesday, 12 May 2026 |
| 2. | 2023-20957 | DITIRE KEOTHAILE DAVID V RAF | Tuesday, 12 May 2026 |
| 3. | 2022-8874 | MOTSAMAI TSHEPO V RAF | Tuesday, 12 May 2026 |
| 4. | 2019-017287 | BALENI ASAVELA V RAF | Tuesday, 12 May 2026 |
| 5. | 2018-17353 | MOTLOUNG NTSWAKI OBO ROBERTSON DONOVAN V RAF | Tuesday,12 May 2026 |
| 6. | 2023-029489 | MAKHADO ANDANI ABEDNEGO V RAF | Tuesday, 12 May 2026 |
| 7. | 2024-103179 | KHANYISILE BUSISIWE V RAF | Tuesday, 12 May 2026 |
| 8. | 2025-11871 | MOTSHABI LESEGO V RAF | Tuesday, 12 May 2026 |
| 9. | 2024-017478 | MATATIELE POLOKO V RAF | Tuesday, 12 May 2026 |
| 10. | 2025-088610 | MFAZWE BUYISWA V RAF | Tuesday, 12 May 2026 |
| 11. | 2022-1860 | NKOSI NELISIWE V RAF | Tuesday, 12 May 2026 |
| 12. | 2025-212138 | MANZINI ZAMA ZANELE V RAF | Tuesday, 12 May 2026 |
| 13. | 2025-022258 | SIBISI BUSISIWE OBO HLELOKUHLE V RAF MATTER NOT SHOWING ON CASELNES | Tuesday, 12 May 2026 |
| 14. | 2026-27914 | MOKOENA PARIS V RAF | Tuesday, 12 May 2026 |
| 15. | 2021-4823 | NTINTELO VICTORIA V RAF | Tuesday, 12 May 2026 |
| 16. | 2021-48054 | TYOBEKA MASIBULELE V RAF | Tuesday, 12 May 2026 |

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| 17. | 2022-4253 | PHERANE KP OBO TTL PHERANE VS RAF | Tuesday, 12, May 2026 |
| 18. | 2022-028289 | NKANYI LUYANDA V RAF | Tuesday, 12, May 2026 |
| 19. | 2022-026620 | MAHLANGU INNOCENT V RAF | Tuesday, 12, May 2026 |
| 20. | 2022-22071 | MOKUMO MATOME MOSES V RAF | Tuesday, 12 May 2026 |
| 21. | 2026-23828 | SHANGE MONICA THULILE V RAF | Tuesday, 12 May 2026 |
| 22. | 2026-036053 | MABOTHA MAGOTSABELE V RAF | Tuesday, 12 May 2026 |
| 23. | 2026-036053 | MAVILANE GODFREY V RAF | Tuesday, 12 May 2026 |
| 24. | 2026-022083 | MOTSHUDI CAROLINE V RAF | Tuesday, 12 May 2026 |

| NO. | CASE NO. | PARTIES | DATE |
|---|---|---|---|
| 25. | 2026-012218 | LOONAT ADAM V RAF | Wednesday,13 May 2026 |
| 26. | 2022/39075 | MSETI MZWAKHE V RAF MATTER NOT SHOWING ON CASELNES | Wednesday, 13 May 2026 |
| 27. | 2022/8077 | NYONI PHATHIASI V RAF | Wednesday, 13 May 2026 |
| 28. | 2021/1975 | RAUBENHEIMER N N.O THEMBELANI SIFELANI VS ROAD ACCIDENT FUND | Wednesday, 13 May 2026 |
| 29. | 2023/5018 | HANIF FARAH obo RABBAB VS ROAD ACCIDENT FUND MATTER NOT SHOWING ON CASELNES | Wednesday, 13 May 2026 |
| 30. | 2023/080061 | MAPHOPHA LORRAINE obo SAMUEL VS ROAD ACCIDENT FUND MATTER NOT SHOWING ON CASELNES | Wednesday, 13 May 2026 |
| 31. | 2024/004964 | MBAWO PRUDENCE VS ROAD ACCIDENT FUND MATTER NOT SHOWING ON CASELNES | Wednesday, 13 May 2026 |
| 32. | 2023/68752 | MATHONTSI DUDUZILE VS ROAD ACCIDENT FUND | Wednesday, 13 May 2026 |
| 33. | 2025/065717 | BALOYI JIWAWA VS ROAD ACCIDENT FUND | Wednesday, 13 May 2026 |
| 34. | 2022/055056 | MOKAPI GONTSE VS ROAD ACCIDENT FUND | Wednesday, 13 May 2026 |
| 35. | 2022/19326 | PETERS ZAIN VS ROAD ACCIDENT FUND | Wednesday, 13 May 2026 |
| 36. | 2021/51715 | MAZIBUKO MGEZI VS ROAD ACCIDENT FUND | Wednesday, 13 May 2026 |
| 37. | 2024/110618 | MAKHAFOLA LEKGWATHA VS ROAD ACCIDENT FUND | Wednesday, 13 May 2026 |
| 38. | 2024/009798 | MTHEMBU THOBILE VS ROAD ACCIDENT FUND | Wednesday, 13 May 2026 |

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| 39. | 2024/60565 | SIGAUKE LUCAS VS ROAD ACCIDENT FUND<br>MATTER NOT SHOWING ON CASELNES | Wednesday, 13 May 2026 |
| 40. | 2023/014662 | TSHIDI MAUREEN obo KHANYISILE NGIDI VS ROAD ACCIDENT FUND | Wednesday, 13 May 2026 |
| 41. | 2019/32627 | MUSHORE RUDO VS ROAD ACCIDENT FUND | Wednesday, 13 May 2026 |
| 42. | 2022/049386 | BOTAKWE MMAPHEFO VS ROAD ACCIDENT FUND | Wednesday, 13 May 2026 |
| 43. | 2024/055045 | SIGOLOZANA PHILASANDE obo IYAFIKA VS ROAD ACCIDENT FUND | Thursday, 14 May 2026 |
| 44. | 2022/033940 | NGCOBO SIKHUMBUZO VS ROAD ACCIDENT FUND | Thursday, 14 May 2026 |
| 45. | 2024/037600 | RUTUBUKA BENONI VS ROAD ACCIDENT FUND | Thursday, 14 May 2026 |
| 46. | 2026/003475 | MOFOKENG KANANELO VS ROAD ACCIDENT FUND<br>MATTER NOT SHOWING ON CASELNES | Thursday, 14 May 2026 |
| 47. | 2022/8694 | SIBANDA LUCAS VS ROAD ACCIDENT FUND | Thursday, 14 May 2026 |
| 48. | 2018/5463 | FRAMBS MICHAEL VS ROAD ACCIDENT FUND | Thursday, 14 May 2026 |
| 49. | 2024/03949 | MAHLANGU SIBONELO N.O NKOMO M VS ROAD ACCIDENT FUND<br>MATTER NOT SHOWING ON CASELNES | Thursday, 14 May 2026 |
| 50. | 2026/029439 | NKOSI JIM MANDLA VS ROAD ACCIDENT FUND | Thursday, 14 May 2026 |
| 51. | 2019/26394 | TERBLANCHE JACQUES VS ROAD ACCIDENT FUND | Thursday, 14 May 2026 |
| 52. | 2020/9710 | SMIT EUGENE VS ROAD ACCIDENT FUND | Thursday, 14 May 2026 |
| 53. | 2023/036643 | NDLOVU SBONGISENI ALBERT VS ROAD ACCIDENT FUND | Thursday, 14 May 2026 |

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| 54. | 2022/25010 | SOMAGACA OLWETHU OBO SOKHANA VS ROAD ACCIDENT FUND | Thursday, 14 May 2026 |
| 55. | 2024/072612 | TSUNDZUKANI MKHATSHWA VS ROAD ACCIDENT FUND | Thursday, 14 May 2026 |
| 56. | 2025/191224 | BROWERS HENDRY PETRUS VS ROAD ACCIDENT FUND | Thursday, 14 May 2026 |
| 57. | 2024/109376 | FANUEL WILLIAM NOVELA VS ROAD ACCIDENT FUND | Thursday, 14 May 2026 |
| 58. | 2021/46711 | MAKUME MAPULE ANELISA VS ROAD ACCIDENT FUND | Thursday, 14 May 2026 |
| 59. | 2025/087361 | ENOQUE PEDRO MACUACUA VS ROAD ACCIDENT FUND | Thursday, 14 May 2026 |
| 60. | 2024/065528 | CLYDE NORMAN JANSEN VS ROAD ACCIDENT FUND | Thursday, 14 May 2026 |

**MATTERS REMOVED FROM THE ROLL (NO PRACTICE NOTE UPLOADED OR REMOVED BY NOTICE /SETTLED )**

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| **1.** | 2025/053566 | MKOKA ANNAH obo SOLOMON MAENETJA VS ROAD ACCIDENT FUND<br>MATTER NOT SHOWING ON CASELINES |
| **2.** | 2025/053022 | TYANI KHANYA VS ROAD ACCIDENT FUND |
| **3.** | 2025/31518 | TSILO ELIZABETH obo KGOTSO VS ROAD ACCIDENT FUND<br>MATTER NOT SHOWING ON CASELINES |
| **4.** | 2024/72842 | NGIDI BOYSY VS ROAD ACCIDENT FUND |
| **5.** | 2023/023460 | MCHUNU ANTRUDA VS ROAD ACCIDENT FUND |
| **6.** | 2022/008929 | LANDELA ZINZO MIHLALI VS ROAD ACCIDENT FUND |
| **7.** | 2023/004218 | DIEMISO TUMEDISO TSHEISI VS ROAD ACCIDENT FUND |
| **8.** | 2020/004809 | TSOELI MOHANUOA obo SIBUSISO VS ROAD ACCIDENT FUND |
| **9.** | 2025/073847 | MBEKENI MFUNDISO VS ROAD ACCIDENT FUND |
| **10.** | 2021/34742 | HOLT ASHLEY VS ROAD ACCIDENT FUND |
| **11.** | 2023/021368 | SHABALALA ELIAS VS ROAD ACCIDENT FUND |

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| **12.** | 2022/8881 | MASELESELE NDITSHENI JOSEPH VS ROAD ACCIDENT FUND |

1. In the event that you are of the view that your matter is supposed to have been enrolled, 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. Should the registrar approve the enrolment, the matter may be enrolled and dealt with.