IN THE HIGH COURT OF SOUTH AFRICA

GAUTENG LOCAL DIVISION, JOHANNESBURG

CIVIL TRIAL DEFAULT JUDGMENT ROLL FOR THE 6TH WEEK FROM 24-27 FEBRUARY 2026

BEFORE THE HONOURABLE JUDGE: MAKGATE AJ

JUDGE'S SECRETARY: NELLY LINDIWE MASILELA

Email: NeMasilela@judiciary.org.za

DIRECTIVES

PLEASE NOTE THE FOLLOWING DIRECTIVES 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 10h00 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 2 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. 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. 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.

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.

ADDITONAL INFORMATION

Kindly further note that matters will be allocated as follows:

- Matters No 1 – 13 Tuesday
- Matters No 14 – 26 Wednesday
- Matters No 27 – 38 Thursday
- Matters No 39 – 50 Friday

NUMBER ON ROLL	CASE NO	PARTIES	DATE APPLIED	GRANTED	DISMISS/ WITHDRAWN	SETTLED
1.	2014/10919	MUTHUPEI MULAUDZI VS ROAD ACCIDENT FUND	28/11/25			
2.	2024/18238	MAEMA MOLETE CASBERT VS ROAD ACCIDENT FUND	29/7/25			
3.	2024/025615	NKOSI DUMISANI LUCAS VS ROAD ACCIDENT FUND	6/12/25			
4.	2025/132263	LEPITA KEAMOHETSWE VS ROAD ACCIDENT FUND	21/10/25			
5.	2022/031515	MOYO SAKHUMZI VS ROAD ACCIDENT FUND	12/1/26			
6.	2022/036231	P LUPHALA VS ROAD ACCIDENT FUND	12/9/25			
7.	2024/073956	MACDONALD GONDWE VS ROAD ACCIDENT FUND	11/11/25.			
8.	2023/102478	NONHLANHLA MOKOENA VS ROAD ACCIDENT FUND	12/1/26			
9.	2023/102434	MNCEDISI SOSIBO VS ROAD ACCIDENT FUND	7/1/26			
10.	2023/092294	RATANG SIYABONGA KHULU VS ROAD ACCIDENT FUND	26/11/25			

11.	2025/31518	ELIZABETH MORONGWE TSILO OBO KGOTSO DOCTOR TSILO VS ROAD ACCIDENT FUND	3/3/25			
12.	2023/037637	LIMPHO IDLETT LEFOKOTSANE VS ROAD ACCIDENT FUND	10/12/25			
13.	2025/151700	MOLIEHI NKOROANE OBO BOKANG KHANO MURENDI VS ROAD ACCIDENT FUND	10/11/25			
14.	2011/21093	NCUBE NORMAN VS ROAD ACCIDENT FUND	26/6/25			
15.	2012/02691	MANDLATE JOAS EUGENIA VS ROAD ACCIDENT FUND	13/10/25			
16.	2022/15745	B SMITH VS ROAD ACCIDENT FUND	15/1/26			
17.	2023/021195	MALEKA LUCKY NGWANANKWANA VS ROAD ACCIDENT FUND	27/10/25			
18.	2022/016553	GONDWE RUNWELL MATHEWS VS ROAD ACCIDENT FUND	25/11/25			
19.	2024/017890	LUTHULI SIFISO FLORIAN VS ROAD ACCIDENT FUND	24/11/25			

20.	2025/140786	MUSAFIRI NIKITA VS ROAD ACCIDENT FUND	25/11/25			
21.	2024/11920	CALVIN MOGUDI MALAU VS ROAD ACCIDENT FUND	25/11/25			
22.	2025/106758	THUBA POLICEMAN TSOTETSI VS ROAD ACCIDENT FUND	9/1/26			
23.	2024/43002	MASWAZI NDITSENI PIET VS ROAD ACCIDENT FUND	10/1/26			
24.	2020/19955	MASIZA BUSISIWE HAPPINESS VS ROAD ACCIDENT FUND	8/12/25			
25.	2024/30229	MOYO TITIWE AND OTHER VS ROAD ACCIDENT FUND	15/8/25			
26.	2021/33925	LEON NATALIE ALISON VS ROAD ACCIDENT FUND	9/12/25			
27.	2025/181387	RADEBE ABRAM HUMPREY VS ROAD ACCIDENT FUND	15/12/25			
28.	2019/4350	MAVUNDA NDAHENI AND OTHERS VS ROAD ACCIDENT FUND	10/10/25			
29.	2020/45054	SETLAU ABRAM VS ROAD ACCIDENT FUND	10/12/25			
30.	2022/033879	SADIKI KUTAMA MARTHA VS ROAD ACCIDENT FUND	4/11/25			

31.	2022/10223	JITA XOLISILE OBO ANOVUYO RANDY JITA VS ROAD ACCIDENT FUND	29/9/25			
32.	2024/127831	KATZKE MARNO VS ROAD ACCIDENT FUND	17/6/25			
33.	2022/5651	RADEBE MOOIMAN STANDEF VS ROAD ACCIDENT FUND	15/9/25			
34.	2022/031087	FOLI MASIKHANYE PETRUS VS ROAD ACCIDENT FUND	2/9/25			
35.	2020/33489	KHOZA SICELO VS ROAD ACCIDENT FUND	6/1/26			
36.	2022/6448	SMIT STEPHANUS GERHARDUS VS ROAD ACCIDENT FUND	4/11/25			
37.	2023/68965	MLALAZI JANE VS ROAD ACCIDENT FUND	2/9/25			
38.	2023/709	BOTMAN ROMEO WESLEY VS ROAD ACCIDENT FUND	11/10/25			
39.	2025/185033	LYDIA SITHOLE VS ROAD ACCIDENT FUND	20/11/25			
40.	2025/239614	DOS SANTOS PAUL MARCOS VS ROAD ACCIDENT FUND	16/10/25			

41.	2025/244360	CHAUKE FANNY MZAWANI VS ROAD ACCIDENT FUND	5/1/26			
42.	2024/069693	NHLANHLA CYPRIAN VS ROAD ACCIDENT FUND	16/10/25			
43.	2024/120039	RADIKOFI REFILWE STELAROSE VS ROAD ACCIDENT FUND	5/9/25			
44.	2024/011512	NTOMBIZANELE DEBRA NDHLOVU VS ROAD ACCIDENT FUND	5/12/25			
45.	2024/097680	MOHLALA RACHEL SENWAMADI VS ROAD ACCIDENT FUND	13/12/25			
46.	2024/081672	MAGUBANE VELANE VS ROAD ACCIDENT FUND	10/11/25			
47.	2024/99401	SANDISWA SHWENI VS ROAD ACCIDENT FUND	9/12/25			
48.	2025/126151	MOKOENA KATLEHO MATTHEWS VS ROAD ACCIDENT FUND	12/12/25			
49.	2022/30825	NOMASWAZI BRENDA SIMELANE VS ROAD ACCIDENT FUND	12/1/26			
50.	2025/228582	MASULUKE ABEDNIGO VS ROAD ACCIDENT FUND	14/1/26			

MATTERS REMOVED FROM THE ROLL (NO PRACTIE NOTE UPLOADED OR REMOVED BY NOTICE /SETTLED)						
1.	2024/76703	PALE LERATO DEONA VS ROAD ACCIDENT FUND	28/10/25			
2.	2021/4831	SIPHO MATWA VS ROAD ACCIDENT FUND	18/7/25			
3.	2025/014741	KHALIZWE LIVHUWANI NERTHA VS ROAD ACCIDENT FUND	22/1/26			
4.	2025/026386	MABUNDA SADMOND VS ROAD ACCIDENT FUND	5/11/25			
5.	2017/1397	THEMBA DHLAMINI VS ROAD ACCIDENT FUND	27/8/25			
6.	2025/056756	MATHEBULA RIRHANDZU PATRICIA VS ROAD ACCIDENT FUND				
7.	2023/67853	MASHOTOLE : MICHAEL MOGALE VS ROAD ACCIDENT FUND	23/10/25			

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.