

**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG LOCAL DIVISION, JOHANNESBURG**

27TH OCTOBER 2026

BEFORE JUDGE: MAKGATE AJ

SECRETARY: TERRENCE MANGANYI

Email: TManganyi@judiciary.org.za

CIVIL TRIAL DEFAULT JUDGMENT

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 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, where after 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. **None compliance with paragraph 7 above will result in the matter being removed from the roll.**

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.

NUMBER ON ROLL	CASE NO	PARTIES	DATE APPLIED	GRANTED	DISMISS / WITHDRAWN	SETTLED
TUESDAY - 27 OCTOBER 2026 - MATTERS NO 1 – 15						
1.	2021/21417	MABOTE NTAOLENG JULIET VS ROAD ACCIDENT FUND	19/8/26			
2.	2025/042243	MOELETSI MAPULE DOROTHY obo M C MOELETSI VS ROAD ACCIDENT FUND	30/6/26			
3.	2026/135288	MAGIDIWANE TOLILE VS ROAD ACCIDENT FUND	30/6/26			
4.	2026/134890	MDLULI ALPHEUS GIFT VS ROAD ACCIDENT FUND	28/7/26			
5.	2025/160222	ROCKY LEND MATHEBULA VS ROAD ACCIDENT FUND	5/5/26			
6.	2025/091959	PERRINS KRISTEN CHERONNE LYNETTE VS ROAD ACCIDENT FUND	28/1/26			
7.	2023/020457	MDLULI NONO JOYCE obo S R MDLULI VS ROAD ACCIDENT FUND	25/3/26			
8.	2023/065586	LEGOTSE EMISANG VS ROAD ACCIDENT FUND	9/3/26			

9.	2023/092841	INGUANE MARCELA ALMEIDA AND 7 OTHERS VS ROAD ACCIDENT FUND	25/3/26			
10.	2026/77325	JABULILE LUCINDA ADAMS obo TISANI ZAMATHOLE ADAMS VS ROAD ACCIDENT FUND	10/9/26			
11.	2026/77636	KGOTSO IGNATIUS SEOKWANG VS ROAD ACCIDENT FUND	10/9/26			
12.	2022/51115	NTHABISENG JOYCE MANTOMBI VS ROAD ACCIDENT FUND				
13.	2025/203476	MATEISE MPHO VS ROAD ACCIDENT FUND	22/5/26			
14.	2025/073143	JACKS TEVIN VS ROAD ACCIDENT FUND	2/6/26			
15.	2025/083301	SCHEEPERS TIANE VS ROAD ACCIDENT FUND	9/6/26			

WEDNESDAY - 28 OCTOBER 2026 - MATTERS NO 16 – 30

16.	2024/116836	SIBANDA BLESSINGS VS ROAD ACCIDENT FUND	4/6/26			
17.	2025/073201	ZABA DANIEL VS ROAD ACCIDENT FUND	19/6/26			
18.	2023/119064	BLOM LUMKA obo LIGUGU BLOM VS ROAD ACCIDENT FUND	24/8/26			
19.	2025/21988	NCUBE BUSANI IMMANUEL VS ROAD ACCIDENT FUND	23/4/26			
20.	2020/1752	HLALUKANA SIPOKAZI obo HLALUKANA LINDA NDIVHUWO VS ROAD ACCIDENT FUND	8/7/26			
21.	2020/22417	LIVHUWANI MATODZI VS ROAD ACCIDENT FUND	14/4/26			
22.	2025/106127	NOMUSA ELIZABETH NTULI VS ROAD ACCIDENT FUND	14/8/26			

23.	2026/126265	LWANDILE PROMISE NKONYANE VS ROAD ACCIDENT FUND	30/7/26			
24.	2019/20548	MABUSA THEMBINKOSI THEOPHELIUS VS ROAD ACCIDENT FUND	27/5/26			
25.	2025/171309	ANDREW MAYNE VS ROAD ACCIDENT FUND	12/2/26			
26.	2023/027181	MCHUNU MZOVUNTIWE VS ROAD ACCIDENT FUND	8/8/26			
27.	2025/38485	MWALE YANKHO VS ROAD ACCIDENT FUND	9/8/26			
28.	2022/22270	MPANZA MAKHOSAZANA VS ROAD ACCIDENT FUND	16/9/26			
29.	2019/047518	PAULSON ANTONIO VS ROAD ACCIDENT FUND	30/6/26			
30.	2023/053956	GEORGE NABER VS ROAD ACCIDENT FUND	20/6/26			

THURSDAY – 29 OCTOBER 2026 - MATTERS NO 31 – 45

31.	2022/007295	ANTHONETTA VAN BAALEN VS ROAD ACCIDENT FUND	10/6/26			
32.	2025/025679	NTOMBIFUTHI BRENDA MGAGA VS ROAD ACCIDENT FUND	3/7/26			
33.	2025/002351	MTSHALI THEMBELANI GOODMAN VS ROAD ACCIDENT FUND	6/8/26			
34.	2022/9542	MATSHINGANI NOBUHLE PRETTY obo MATSHINGANI OKUHLE VS ROAD ACCIDENT FUND	3/8/26			
35.	2020/23241	MAMPOI LIKELELI AMELIA VS ROAD ACCIDENT FUND	10/9/26			
36.	2025/189389	FOURIE DONOVIN MARKUS VS ROAD ACCIDENT FUND	10/7/26			
37.	2026/061313	MORWANTSOLE JOHN MAPHUTHA VS ROAD ACCIDENT FUND	19/5/26			

38.	2026/142170	WHITEMAN SITHOLE VS ROAD ACCIDENT FUND	27/8/26			
39.	2022/27654	MDLALOSE MBALI NOMTHANDAZO VS ROAD ACCIDENT FUND	15/8/26			
40.	2021/46538	DAVID MGWEBI NGWENYA VS ROAD ACCIDENT FUND	13/8/26			
41.	2025/129757	ZANELE SOPHENI NDELA obo ANELE NZUZO NDELA VS ROAD ACCIDENT FUND	17/8/26			
42.	2025/071111	NOSIPHO SYLVIA ZONGOLO VS ROAD ACCIDENT FUND	12/8/26			
43.	2021/57243	DUDUZILE NQOLA VS ROAD ACCIDENT FUND	7/9/26			
44.	2026/132449	ANDISA NTEYA VS ROAD ACCIDENT FUND	7/8/26			
45.	2023/103663	XOLANI EMMANUEL SIBISI VS ROAD ACCIDENT FUND	7/8/26			

FRIDAY - 30 OCTOBER 2026 - MATTERS NO 46 – 61

46.	2025/218152	LEZANE TARREN MYERS VS ROAD ACCIDENT FUND	19/8/26			
47.	2026/020637	NTSHONGO ASIPHE VS ROAD ACCIDENT FUND	11/8/26			
48.	2026/023687	PHUMELELE ROSLINAH MTONTI VS ROAD ACCIDENT FUND	13/7/26			
49.	2026/140502	BAFANYANA JOSEPH ZUMA VS ROAD ACCIDENT FUND	8/9/26			
50.	2026/081026	OMOGOLO GOLAMANG SEKELEKO VS ROAD ACCIDENT FUND	11/6/26			
51.	2022/028008	MPHO MALADZHI VS ROAD ACCIDENT FUND	15/7/26			
52.	2025/72441	ZIKHONA BOKLENI VS ROAD ACCIDENT FUND	8/1/26			
53.	2021/49273	ALBERT TIMBE VS ROAD ACCIDENT FUND	9/7/26			

54.	2025/068355	CASTIGO SILVESTRE CHAVANGO VS ROAD ACCIDENT FUND	9/7/26			
55.	2026/108250	LESESE LINDI JOSEPHINE obo N LESESE VS ROAD ACCIDENT FUND	17/7/26			
56.	2023/95099	MBATHA NTHABISENG SERINA obo TSHABANGU NTHANDO VS ROAD ACCIDENT FUND	28/5/26			
57.	2025/124007	THLAKE MOKGADI SALAMINA VS ROAD ACCIDENT FUND	13/05/26			
58.	2025/008679	SWARTS KAMOGILO VS ROAD ACCIDENT FUND	11/05/26			
59.	2024/054145	NALEDZANI ELEKANYANI NICHOLAS VS ROAD ACCIDENT FUND	23/05/26			
60.	2026/016352	JACOBS NADIA VS ROAD ACCIDENT FUND	13/05/26			
61.	2025/003361	SANDILE SIMON SHIBA VS ROAD ACCIDENT FUND	01/07/26			

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

1.	2025/024197	JEANNE-MARIE KOTZE obo FRANCOIS VS ROAD ACCIDENT FUND	20/8/26			
2.	2016/17994	JAMELA JANE NYALUNGU VS ROAD ACCIDENT FUND	15/9/26			
3.	2026/081066	DIEKETSENG PAULINAH MOFOKENG VS ROAD ACCIDENT FUND				

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.