

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

08 SEPTEMBER 2026

BEFORE JUDGE: MAKGATE AJ

SECRETARY: RIPFUMELO MAHORI

Email: RMahori@judiciary.org.za

CIVIL TRIAL DEFAULT JUDGMENT

DIRECTIVE

PLEASE NOTE THE FOLLOWING DIRECTIVE 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. 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.

N:B ALLOCATION OF MATTERS:

1. TUESDAY, 08 September 2026

Matters No 1 – 17

2. WEDNESDAY, 09 September 2026

Matters NO 18 – 34

3. THURSDAY, 10 September 2026

Matters NO 35 – 52

4. FRIDAY, 11 September 2026

Matters No 53 – 67

NUMB ER ON ROLL	CASE NO	PARTIES	DATE APPLIE D	GRANT ED	DISMISS / WITHDR AWN	SETTLE D
1.	2021/55109	MALAWANA KHAWULEZILE CHRISTOPHER VS ROAD ACCIDENT FUND	20/5/26			
2.	2026/121388	SHEZI BONGINKOSI VS ROAD ACCIDENT FUND	17/6/26			
3.	2026/121603	DYZEL HENDRIK JACOBUS VS ROAD ACCIDENT FUND	17/6/26			
4.	2026/096678	LONIA NGOVENI VS ROAD ACCIDENT FUND	25/5/26			
5.	2026/098499	MALENYALO BLESSED MASENYA VS ROAD ACCIDENT FUND	18/6/26			
6.	2026/124116	BIYA NOMKHOSI OTIRIA VS ROAD ACCIDENT FUND	17/6/26			
7.	2024/057984	NTLHANE MOKGADI MOYAGABO VS ROAD ACCIDENT FUND	30/6/26			
8.	2023/085452	NXELE MELUSI VS ROAD ACCIDENT FUND	18/6/26			
9.	2023/027440	NGOYI KAVULAMBEDI VS ROAD ACCIDENT FUND	15/5/26			

10.	2025/028009	MULIFHOI TSAKANI AGNES VS ROAD ACCIDENT FUND	28/6/26			
11.	2025/172305	PRIDE PHEHELLO MASEDI VS ROAD ACCIDENT FUND	29/6/26			
12.	2020/24308	BOMBA BEFUNDISI VS ROAD ACCIDENT FUND	9/7/26			
13.	2022/031977	NTOMBIKAYISE PORTIA NGCOBO VS ROAD ACCIDENT FUND	29/6/26			
14.	2025/069276	CEBEKHULU THEMBEKILE FORTUNATE VS ROAD ACCIDENT FUND	3/7/26			
15.	2021/28679	KHOZA ARNOLD AMEEN VS ROAD ACCIDENT FUND	21/7/26			
16.	2012/28397	MAETELETJA LUCKY THEMBA VS ROAD ACCIDENT FUND	25/3/26			
17.	2024/028326	MHLENGETHWA THULISILE VIRGINIA VS ROAD ACCIDENT FUND	22/6/26			
18.	2024/056909	LENEPA THABISO VINCENT VS ROAD ACCIDENT FUND	25/5/26			
19.	2022/16338	MTHEMBU AYANDA MBALI obo MINOR VS ROAD ACCIDENT FUND	24/2/26			
20.	2022/21217	THWANE TEBELO JAN VS ROAD ACCIDENT FUND	20/7/26			
21.	2022/23490	NCUBE RACHEL obo NCUBE ANDILE VS ROAD ACCIDENT FUND	20/7/26			
22.	2019/1849	LEBELO REABETSWE MALESELA VS ROAD ACCIDENT FUND	28/4/26			
23.	2019/34778	MDLULI LESEGO SHAUN MTHOKOZISI VS ROAD ACCIDENT FUND	15/5/26			
24.	2026/27914	PARIS MOKOENA VS ROAD ACCIDENT FUND	22/7/26			

25.	2019/25098	NTULI THOMAS obo NTULI THEMBELIHLE BUSISIWE VS ROAD ACCIDENT FUND	31/1/26			
26.	2026/098667	NGONYAMA MINENHLE SIBAHLE VS ROAD ACCIDENT FUND	2/6/26			
27.	2022/18257	TSILWANE REFILOE CONSTANCE VS ROAD ACCIDENT FUND	29/6/26			
28.	2024/116162	KHANYISWA MTETO VS ROAD ACCIDENT FUND	20/4/26			
29.	2026/128407	LUTHULI NOMFUNDO LINDIWE VS ROAD ACCIDENT FUND	24/7/26			
30.	2023/041204	MKHIZE SPHAMANDLA ANDREAS VS ROAD ACCIDENT FUND	3/2/26			
31.	2026/113306	SICELO MUZI MKHONTFO VS ROAD ACCIDENT FUND	16/7/26			
32.	2026/126860	ANGITOR NYATHI VS ROAD ACCIDENT FUND	16/7/26			
33.	2025/094089	THOBANI ARMSTRONG NCANE VS ROAD ACCIDENT FUND	10/7/26			
34.	2024/052704	MATSAU MALETEKANA SARAH VS ROAD ACCIDENT FUND	10/7/26			
35.	2024/147555	EUNICIO MANUEL CHEMANE VS ROAD ACCIDENT FUND	9/2/26			
36.	2019/15179	MACDONALD TLHALEFO GAANAKGOMO VS ROAD ACCIDENT FUND	16/7/26			
37.	2021/48111	MATLHAAELA NAOMI SHIRLEY VS ROAD ACCIDENT FUND	16/7/26			
38.	2026/063094	MNISI NOZUKO VS ROAD ACCIDENT FUND	19/6/26			

39.	2026/050913	MOSIA PULENG VS ROAD ACCIDENT FUND	18/6/26			
40.	2025/093460	DESIREE RESHOKETSE BOPAPE VS ROAD ACCIDENT FUND	6/7/26			
41.	2026/061728	ROSE THEMBI MOKONYANE VS ROAD ACCIDENT FUND	19/5/26			
42.	2023/57196	MASEKO INNOCENTIA NOPUMELELO NDOSI VS ROAD ACCIDENT FUND	29/6/26			
43.	2020/04423	MASILELA MANDLA VS ROAD ACCIDENT FUND	17/6/26			
44.	2025/069890	TWALA SFISO EMMANUEL VS ROAD ACCIDENT FUND	28/5/26			
45.	2024/60014	EDDIE MAKHEHLA VS ROAD ACCIDENT FUND	6/7/26			
46.	2019/015167	SAMKELO CALVIN DLADLA VS ROAD ACCIDENT FUND	6/7/26			
47.	2025/028495	BONGANI KUNENE VS ROAD ACCIDENT FUND	17/6/26			
48.	2023/018360	NTOMBIFUTHI WITNESS NKOSI VS ROAD ACCIDENT FUND	8/5/26			
49.	2020/4356	FANELESIBONGE EUNICE VS ROAD ACCIDENT FUND	29/6/26			
50.	2026/096702	MKHUSELI QABA VS ROAD ACCIDENT FUND	25/5/26			
51.	2021/52974	BHEKI MBONGISENI GOQO VS ROAD ACCIDENT FUND	12/6/26			
52.	2025/149445	MATHAPELO ELIZABETH KEELE VS ROAD ACCIDENT FUND	26/3/26			
53.	2026/007485	MATHEBULA MASHAO DORRIS VS ROAD ACCIDENT FUND	13/3/26			
54.	2025/087714	PULE BETHUEL KHUNOU VS ROAD ACCIDENT FUND	5/6/26			

55.	2025/061062	NKOSINGIPHILE BRAINE SIKHOSANE VS ROAD ACCIDENT FUND	21/5/26			
56.	2024/034163	NTOMBIFUTHI RADEBE VS ROAD ACCIDENT FUND	16/1/26			
57.	2021/52398	DUMEZWENI JETHRO NYATHI VS ROAD ACCIDENT FUND	21/5/26			
58.	2025/27992	HALGRYN HENDRIK VS ROAD ACCIDENT FUND	04/07/26			
59.	2024/035740	BETTA MALEFU MOKOENA VS ROAD ACCIDENT FUND	06/06/26			
60.	2024/111663	TSHOEUAMAKOA TSHEPANG VS ROAD ACCIDENT FUND	26/05/26			
61.	2026/017697	NTSHUXEKANI BILANKULU OBO RENDZO BILANKULU VS ROAD ACCIDENT FUND	25/06/26			
62.	2023/015946	YEKISO MANKALISO JOSEPH VS ROAD ACCIDENT FUND	31/03/26			
63.	2025/089268	MOKOENA HLENGIWE BABLES VS ROAD ACCIDENT FUND	27/02/26			
64.	2026/008450	HILDA MANGENA VS ROAD ACCIDENT FUND	23/06/26			
65.	2008/41183	DENZIL GOVENDER VS ROAD ACCIDENT FUND	07/05/26			
66.	2018/16185	BUHLE THOKO NDINISA OBO A B NDINISA VS ROAD ACCIDENT FUND	06/05/26			
67.	2021/52115	KARABO THATO JUDA CHESANE VS ROAD ACCIDENT FUND	06/05/26			
MATTERS REMOVED FROM THE ROLL (NO PRACTICE NOTE UPLOADED OR REMOVED BY NOTICE /SETTLED)						
1.	2026/001191	NTSELE AYANDA ANELE VS ROAD ACCIDENT FUND	22/4/26			

2.	2026/001185	SHABISHA LAWRENCE TSHEPANG VS ROAD ACCIDENT FUND	22/4/26			
3.	2020/35310	MPHO VIOLET DESERY PIETERSEN 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.