**IN THE HIGH COURT OF SOUTH AFRICA**

**GAUTENG LOCAL DIVISION, JOHANNESBURG**

**04 JUNE 2024 BEFORE JUDGE: POTTINGER AJ**

**SECRETARY:** **NOKUTHULA MNCWANGO**

**E-mail: (**[**Nmncwango@judiciary.org.za**](mailto:Nmncwango@judiciary.org.za) **)**

**Contact Details:** **(010) 494 8446**

**CIVIL TRIAL DEFAULT JUDGMENT FOR 3 JUNE 2024 – 7 JUNE 2024**

**Default Judgment Court Directive:**

1. The parties’ attention is drawn to the Notice issued by the office of the Deputy Judge President on the 19th February 2024, titled “Important notice: changes to the Road Accident Default Judgment Court” (REF: DJP/373/2023/It).
2. In light of the above, roll call for all matters will commence on **Tuesday the 4th of June 2024** at **09h30** where after further directives will be issued and allocations made.
3. All matters will be heard in **open court** at **09h30,** details of Courtroom allocations are published by the office of the Deputy Judge President.

Directives:

4 Parties must ensure that their matters are accessible on CaseLines (including matters that were initiated on Court Online). Should a matter not be accessible by Friday, the **31st of May 2024** at **18h00**, the Parties run the risk of having their matters removed from the roll if their affidavit evidence is not uploaded by the prescribed date and time.

5 If counsel is not present and has not been excused when the matter is called, the matter will be stood down to the end of the roll and called again. If counsel

does not appear when the matter is called for a second time, the matter will be removed from the roll.

6 By no later than **13h00** on **Friday the 31st of May 2024**, Plaintiff’s counsel must have uploaded onto CaseLines their heads of Arguments (in MS Word format) that, *inter alia*, set out briefly the following:

6.1 Number on the roll;

6.2 Name and mobile number of legal representative;

6.3 Details providing proof of service on the Road Accident Fund of summons;

6.4 Notice of set down;

6.5 Whether the matter is ripe to be heard by default;

6.6 What evidence is in affidavit form, and what evidence must be orally adduced;

6.7 a brief explanation as to why the quantum is justifiable and the contingencies applied in the actuarial calculation;

6.8 The attached draft order, which must reflect the surname of the presiding officer, the date, names of the counsel and attorneys, their respective telephone / mobile numbers and email addresses. All draft orders must be signature ready and a hard copy brought to court.

7. If a late notice of intention to defend is (or was) filed by the Defendant, the Defendant must provide the court with a **chronology** and **written reasons** for the belated notice of intention to defend. In addition, Counsel for the Defendant must make submissions as to the effect of the notice of intention to defend on the Plaintiff’s application for Default Judgment in light of the recent case law regarding this issue.

8. Please note that failure to comply with this directive will result in the matter being struck off the roll with no order as to costs.

9. Counsels are excused from introducing themselves in chambers, introductions shall take place at the hearing.

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| **NUMBER ON ROLL** | **CASE NO** | | **PARTIES** | | **GRANTED** | | **DISMISS/ WITHDRAWN** | **SETTLED** | |
|  | 2022/13131 | | NKOSI LOSTAR NTOMBI OBO MINOR VS ROAD ACCIDENT FUND | |  | |  |  | |
|  | 14053/23 | | MAKHETHA THABO EDWIN VS ROAD ACCIDENT FUND | |  | |  |  | |
|  | 2022-036231 | | P LUPAHLA VS ROAD ACCIDENT FUND | |  | |  |  | |
|  | 15571/2014 | | A W DROWN VS ROAD ACCIDENT FUND | |  | |  |  | |
|  | 122909/23 | | MONAKHISI : CLEMENT SEKGALA VS ROAD ACCIDENT FUND | |  | |  |  | |
|  | 29062/21 | | WATSIN PHIRI VS ROAD ACCIDENT FUND | |  | |  |  | |
|  | 2023/041281 | | NONHLANHLA MEMORY NKOSI VS ROAD ACCIDENT FUND | |  | |  |  | |
|  | 47763/22 | | NSHIMIRIMANA ALEXANDER VS ROAD ACCIDENT FUND | |  | |  |  | |
|  | 21/29781 | | DIALE , DUNKIE ELIZABETH VS ROAD ACCIDENT FUND | |  | |  |  | |
|  | 40741/2014 | | VICTOR MOGOROSI OBO KARABO MOGOROSI VS ROAD ACCIDENT FUND | |  | |  |  | |
|  | 2022/15240 | | MMAMOSA ELEVENSCINAH MOAGI VS ROAD ACCIDENT FUND | |  | |  |  | |
|  | 12348/2022 | | MPOSULA , NONHLANHLA VS ROAD ACCIDENT FUND | |  | |  |  | |
|  | 25974/19 | | PRECIOUS THABEKILE MAZIBUKO VS ROAD ACCIDENT FUND | |  | |  |  | |
|  | 2023/103839 | | MARNEWECK : ESTIAAN VS ROAD ACCIDENT FUND | |  | |  |  | |
|  | 3152/22 | | MTSHALI : THOBILE GLADNESS VS ROAD ACCIDENT FUND | |  | |  |  | |
|  | 2022/31148 | | MATIZA : NOREST KUDAKWASHE VS ROAD ACCIDENT FUND | |  | |  |  | |
|  | 14341/2018 | | NONHLANHLA LORAIN MTHIMKHULU VS ROAD ACCIDENT FUND | |  | |  |  | |
|  | 18487/24 | | SFISO MECHEK SHABALALA VS ROAD ACCIDENT FUND | |  | |  |  | |
|  | 2023/039651 | | KAMAGA: JAPHET AUSTIN VS ROAD ACCIDENT FUND | |  | |  |  | |
|  | 026690/23 | | SEBOLA MAROPENG EDWIN VS ROAD ACCIDENT FUND | |  | |  |  | |
|  | 4858/2015 | | STEMELA NONTEMBEKO JULIA VS ROAD ACCIDENT FUND | |  | |  |  | |
|  | 12/28288 | | MAVUSO DALUXOLO MATTHEWS VS ROAD ACCIDENT FUND | |  | |  |  | |
|  | 2022/033427 | | HUBERT OKOSISI VS ROAD ACCIDENT FUND | |  | |  |  | |
|  | 2019/33924 | | KHUMALO: MARIA MAMITHERO OBO KHUMALO : ITUMELENG | |  | |  |  | |
| **MATTERS REMOVED FROM THE ROLL (NO PRACTIE NOTE UPLOADED)** | | | | | | | | | |
| **1.** | | 2022-037907 | J OKOKO VS ROAD ACCIDENT FUND |  | |  | |  |
| **2.** | | 2023/040833 | HLULANI ARROL NGOBENI VS ROAD ACCIDENT FUND |  | |  | |  |
| **3.** | | 44635/22 | THOKOZANI HAPINESS BHOQWANA VS ROAD ACCIDENT FUND |  | |  | |  |
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| **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](mailto: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. | | | | | | | | | |

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