



**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, PRETORIA**

CASE NO: 21747/2022

DELETE WHICHEVER IS NOT APPLICABLE

- (1) REPORTABLE: NO
- (2) OF INTEREST TO OTHER JUDGES: NO
- (3) REVISED: NO

11 June 2024
DATE

[REDACTED]
SIGNATURE

In the matter between:

ROAD ACCIDENT FUND

Applicant

and

ITUMELENG SOLOMON MONTSHO

First Respondent

LEAVE TO APPEAL JUDGMENT

TOLMAY J

INTRODUCTION

1. This is judgment for an application for leave to appeal by the applicant, who is the defendant in the main application, following my judgment dated 16 October 2023.
2. After carefully considering the judgment, argument by the parties and their heads of argument I am of the view that the appeal does not have a reasonable prospect of success, nor does there exist any other compelling reason why the appeal should be heard.

The following order is made:

1. Leave to appeal is dismissed with costs.



R G TOLMAY

JUDGE OF THE HIGH COURT

GAUTENG DIVISION, PRETORIA

Appearances:

Counsel for the Applicant:	Adv L Mfazi
Attorney for the Applicant:	Mr M Maliwa for T Matu Attorneys
Counsel for the Respondent:	Adv M S Mangolele SC; Adv T Williams
Attorney for the Respondent:	State Attorney Pretoria
Date of hearing:	7 June 2024
Date of Judgment:	11 June 2024