



IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, JOHANNESBURG

CASE NO: 2021/9373

- 1. Reportable: No
- 2. Of interest to other judges: No
- 3. Revised

28 January 2025

WRIGHT J

SIGNATURE

ROAD ACCIDENT FUND

and

YANGBONGA, BIBICHE SINGO

THE SHERIFF OF THE HIGH COURT:

Applicant

First Respondent

Second Respondent

DISTRICT OF JOHANNESBURG

JUDGMENT

WRIGHT J

1. The RAF seeks urgently to interdict a sale in execution of its assets. A settlement was made an order of court but the Fund says that it is now aware that the first respondent is an illegal foreigner and it wants to have a rescission application heard.
2. The Fund is vague on when it formed the view that the first respondent was an illegal foreigner. A writ was issued as early as about a year ago.
3. In the founding affidavit, but not in the notice of motion, the RAF seeks condonation. For what is not clear.
4. A case for urgency is not made out.

ORDER

1. Struck off with costs on scale A. –



GC Wright

Judge of the High Court

Gauteng Division, Johannesburg

HEARD : 28 January 2025

DELIVERED : 28 January 2025

APPEARANCES :

Applicant Ms P Makhathini
State Attorney from RAF

Instructed by Road Accident Fund

Respondent Adv DB Du Preez
niel@dup.co.za

083 375 0209

Instructed by Van Der Elst inc
011 731 0000
litagation@vdelaw.co.za