



IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, JOHANNESBURG

CASE NO: 6945/2022

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

28 January 2025

WRIGHT J

SIGNATURE

ROAD ACCIDENT FUND

and

MUTHALI, CHRISTIANA

MUTHALI, CHRISTIANA

On behalf of **ZIBA, MTENDE**

Applicant

First Respondent

Second Respondent

MUTHALI, CHRISTIANA

Third Respondent

On behalf of **ZIBA, EMERLIA**

MUTHALI, CHRISTIANA

Fourth Respondent

On behalf of **ZIBA, MOODESTER**

THE SHERIFF OF THE HIGH COURT:

Fifth Respondent

DISTRICT OF JOHANNESBURG NORTH

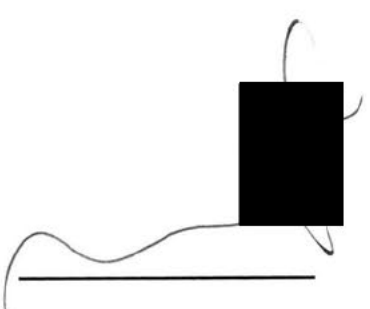
JUDGMENT

WRIGHT J

1. The applicant RAF seeks urgently to interdict a pending sale in execution of its movables pending a rescission application.
2. The applicant says that it learnt that the respondent is an illegal foreigner and therefore the settlement which was made an order of court stands to be set aside.
3. The applicant is silent as to when it learned that the respondent is a foreigner and accordingly 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 Nzianzia
State Attorney from RAF

Instructed by Road Accident Fund

Respondent Adv DB Du Preez

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