

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

CASE NO: 18554/2021

(1) REPORTABLE: NO (2) OF INTEREST TO OTHER JUDGES: NO (3) REVISED: NO SIGNATURE	<u>26 MARCH 2025</u> DATE
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In the matter between:

KUPA: MOCHADIBANA NAPYADI

Plaintiff

and

ROAD ACCIDENT FUND

Defendant

JUDGMENT

Delivered: This judgment was prepared and authored by the Judge whose name is reflected and is handed down electronically by circulation to the parties/their legal representatives by e-mail and by uploading it to the electronic file of this matter on CaseLines. The date for hand-down is deemed to be 10h00 on 26 March 2025.

MALUNGANA AJ

Introduction

[1] Plaintiff, a 28 year old female BCom Accounting graduate, seeks to recover damages from the defendant, for injuries which she suffered arising out of a motor vehicle collision. On 9 December 2017 plaintiff was traveling as a passenger with other members of her family from Venda to Gauteng Province, when she was injured in a collision. Sadly all other members, her father, aunt and one of her siblings died in the said accident.

[2] As a result of the aforesaid collision, plaintiff suffered severe neurological and orthopaedic injuries, comprising of:

- (a) A head injury with severe brain injury, severe traumatic neuropsychological disfunction; vestibular disfunction and insomnia;
- (b) Facial injury with scarring;
- (c) Left hemi pelvic fracture, with chronic pelvic pains,
- (d) Right Tib-Fib fracture with weakness of the right leg;
- (e) Left lung contusion;
- (f) Right Tib-Fib fracture with gait and station disorder;
- (g) Solitary rib fracture.

[3] The nature and extent of these injuries are set out in various medico-legal reports tendered in evidence, and are not in dispute. However, there is a dispute as to whether the *sequalae* of the injuries have resulted in the plaintiff being unable to reach her career path of attaining a doctorate degree or pursued a career as a certified chartered accountant.

Issues

[4] The merits and other subhead of damages have been settled, save for loss of earnings incurred by the plaintiff. I am therefore required to adjudicate the question of the plaintiff's loss of earnings.

The Loss of Earnings Claim

[5] In the particulars of claim, the plaintiff's claim for loss earnings is formulated as follows:

“10.4 Loss of earnings/loss of income/loss of earning capacity and or employability: R12 000 000.00

The above is an estimate based on:

10.4.1 At the time of the accident Plaintiff was doing her second year towards a Bachelor. Of Commerce in accounting at University of Johannesburg and had a career choice of becoming an accountant;

10.4.2 Before the accident, and more particularly, in December 2017, she passed her six subjects with distinctions;

10.4.3 Post accident, she is failing at school and or performing poorly. She had to repeat courses and could not finish her degree in record time;

10.4.4 The injuries have interfered with the Plaintiff's choice of education and or academic achievement or career development;

10.4.5 In 2020 Plaintiff enrolled for Honours in accounting with Stellenbosch university and is currently repeating the same year;

10.4.6 It is evident that Plaintiff will never reach her premorbid education potential and may only be limited to clerical/administrative work at best and or unemployable at worst.

10.4.7 The injuries have interfered with the Plaintiff future earnings, and or earning capacity, promotion, salary increment, working lifespan and or bonuses;

10.4.8 The injuries have rendered the Plaintiffs unemployable in an open market.”

The Evidence

[6] In a trial that spanned for almost 7 (seven) days, the plaintiff relied upon the evidence of her expert witnesses, while the defendant did not file any expert report nor led any evidence. Advocate Makopo appeared for the plaintiff, while Advocate Mahlangu appeared for the defendant. The parties were *ad idem* that the oral testimony of the undermentioned witnesses would be sufficient for the disposal of the issue the Court is seized with.

[7] Dr Samuel Mpotoane, a neurosurgeon, was the first witness called to testify by the plaintiff. He prepared a comprehensive medico-legal report as well as the addendum thereof. He described the plaintiff's physical injuries as follows: She was brought to the hospital on a stretcher with facial injury, both upper and lower injuries, left pelvic injury, left laceration; avulsion wound on the scalp and forehead with exposed venous and arterial bleeding, right fib-tib injury, blunt chest injury and breathing spontaneously with GAAEB. She was the only survivor in the accident, having lost her father, sister and aunt.

[8] The plaintiff complained of chronic headaches; memory problems and dizziness. She struggles with post traumatic anxiety and has socially withdrawn. He noted in his addendum report of June 2024, that the plaintiff had completed her honours degree in 2020, is currently employed by RMB since July 2023 where she earns a salary of R10 300.00 per month.

[9] Dr Mpotoane concluded that, given all the relevant factors outlined in his report, more especially severe traumatic brain injury and other injuries, the plaintiff reached a period of maximum medical improvement, and no further clinical improvement will be expected. There is about 10-20% of her developing epilepsy. The plaintiff's life expectancy was not affected by the accident.

[10] Nothing significant came out of the witness' cross examination . He was asked about the severity of the brain injury in view of the Glass Coma Scale of 15/15 as recorded by the hospital. His response was that the GCS is not the only measure for the determination of the severity of the brain injury or prolonged level of unconsciousness. There are other factors to be considered in the determination.

[11] Dr Ingrid Jonker, a neuropsychologist, testified about the neuropsychological impact the accident had had on the plaintiff. According to the test conducted on the plaintiff she displayed a lack of concentration. She presented with a mental processing speed deficits.

[12] Dr Ingrid Jonker, had these to say about the plaintiff's employment history:

(a) The plaintiff was in a one year internship programme at RMB from July 2023 to June 2024. Due to financial constraints the business could not extend her contract.

(b) Her responsibilities at RMB entailed authorizing trades, cash predictions, reports, removals , allotments as well as repairing trades.

(c) She reported to Dr Jonker that she had experienced a lot of anxiety at work. She also told him that she had to make notes frequently in order to remind herself of things and had checked her work constantly. She has been unsuccessfully in finding another job in the accounting and financial sector.

[13] As regards treatment, the plaintiff has been taking the following medication. Two Mybulen tablets for treatment of headaches post accident once a week; Urbanos as well as Ativan, anxiolytic medication; on a regular basis for treatment of anxiety since 2023 and; Trapline, a tricyclic anti-depressant, since 2023.

[14] Dr Jonker stated that the plaintiff has developed withdrawal tendencies, which makes it difficult for her to attract a romantic partner. She had been in a romantic relationship during the accident, and became detached after the accident. She is conscious of the scarring on her face.

[15] Her mind remains more sluggish and she continuous to experience some mental slowing. She is not efficient with planning or when multi-tasking.

[16] She experiences headaches around once a week; discomfort and sensitivity to her left hip which has become aggravated when standing or walking for extended periods. She experiences pains in her lower right leg in inclement weather or when walking for a long distances. She struggles to run or kneel properly. She suffers from itchiness to her facial scarring especially in hot weather.

[17] Dr Jonker concluded that the plaintiff suffers from chronic symptoms of a depressive disorder, anxiety and features of a Posttraumatic Stress Disorder as a result of the accident on 09 December 2017.

[18] Dr Jonker further stated in her addendum report, at paragraph 10.7.4.5 that:
“The neuropsychological re-assessment provided evidence that Ms Kupa has been experiencing ongoing cognitive challenges, especially in the domains of concentration; attention; rote verbal, narrative and virtual memory, visuospatial planning and construction, as well as mental processing speed. These cognitive problems are expected to compromise her future performances and competitiveness in the open labour market. In this regard, her concentration difficulties are expected to result in inconsistent performances as well as in difficulties in effectively sustain her work pace.”

[19] Dr Joseph Seabi, the Educational Psychologist, also gave evidence on behalf of the plaintiff. He testified that he was not aware that the plaintiff failed her grade 10 when he did his initial report. However, in 2015, the plaintiff managed to pass grade 12 with an exemption, after which she enrolled for a BCom general degree at the University of Johannesburg. In her second year she developed an interest in becoming a chartered accountant. She then enrolled for BCom Accounting degree and passed all modules with 6 distinctions.

[20] Post accident, the plaintiff started to experience deterioration in her academic performance. She failed most of her modules, and only managed to pass them

through supplementary examinations with 50 and 60s marks. Dr Seabi testified that the plaintiff had to convert her studies to be able to pass. Albeit with deteriorated performance, the plaintiff managed to pass all her modules in 2019. She then enrolled for one year full time Honours degree in 2020 at the University of Stellenbosch. She failed about 5 modules and only managed to pass in 2023 after repeating some modules three times. She reported to Dr Seabi that she has found studying more effortful and strenuous post the accident due to pain and emotional instability. She had developed flashbacks and she worries why all the people in the car had died and she survived.

[21] It was Dr Seabi's testimony that the plaintiff is emotionally drained and feels worthless. She presented with physical weakness, emotionally depressed with anxiety disorder. She has memory and concentration difficulties as set out in page 36 of his updated report. He postulated that the plaintiff would have attained a doctorate degree, but for the accident. The scars on her face have deprived her of the lifestyle. She will struggle to complete a Master's degree like she did with Honours. Bearing in mind that during her Honours degree she was not working, so her work demands will exacerbate the situation. Her IQ remains very low while there is an improvement in her emotional state. However, hopelessness remains a problem. She has high level of depression and anxiety. He postulates that her high level of education will remain with Honours degree, nothing beyond. Repeated failing, Dr Seabi opines, leads to low academic self-esteem.

[22] During cross examination, Dr Seabi testified that he was not in possession of the plaintiff's school reports when he compiled his report. He conceded that she failed grade 10, but said it was because of English. He said one does not have to look at a single factor to determine if one is a bright student. It is a composite of factors. Her cognitive ability remains a major problem, it has deteriorated. The plaintiff would have progressed to 'NQF 10 level' post accident, equivalent of Doctorate degree. .

[23] Dr Seabi states in paragraph 11.6.8 of his report that: "On the basis of the available information, it is estimated that Moachadibana's pre-morbid intellectual ability was within the Superior range, which is consistent with functioning at a level where she could have progressed through her tertiary studies and obtained a

Doctorate Degree (NQF level 10), considering that it is well documented in recent studies that children are achieving better qualifications than their parents, and in view of her diligence, motivation, commitment, perseverance, and dedication towards the academic project.”

[24] Ms Clara Shivambu, the occupational therapist was also called to testify for the plaintiff. Her testimony was to the effect that the plaintiff was terrified to drive due to trauma. She prefers to be alone most of the time. She requires a great deal of therapy to be able to cope with day to day life. She has neurological dysfunction and delayed memory as well as attention deficit. She easily forgets stuff and takes longer to perform tasks. Her initial plans were to become a CA (Chartered Accountant). Her managers and co-employees will not recognize her potential, because she prefers to be alone. She will be more suited to work in a structured environment. A prospective employer would have to be more sympathetic and be able to understand her. She will require psychological support to be able to cope functionally.

[25] Ms Mhlanga asked Ms Shivambu if she was in possession of the plaintiff's academic record during the medico examination. Her response was that no one had same. She stated that the plaintiff's career choice falls within sedentary to light work. She confirmed that the plaintiff's ambition was to become a Chartered Accountant. Her overall quality of life has been affected by the accident.

[26] Ms Shivambu, however, conceded that the plaintiff did not require a doctorate degree to be a CA. She stated that she relied on the opinion of the educational psychologist when it comes to the plaintiff's academic progression. She nevertheless, opines that the plaintiff requires a cognitive rehabilitation to prevent further deterioration.

[27] Dr Talia Talmud, the industrial psychologist, postulated that the plaintiff's completion of the B Com Honours degree should not be equated to successful performance in the open labour market as studies can be mastered at the individual's own pace with ongoing repetition, which is not a luxury afforded in a working environment. She opines that the plaintiff's cognitive challenges are more likely to compromise her future performances and competitiveness in the open

labour market, The plaintiff's concentration difficulties will result in inconsistent performances as well as difficulties in effectively sustaining her work pace. She will struggle with complex tasks and other work demands. She will be susceptible to fatigue and mental exhaustion.

[28] Dr Talmud further opines that, the plaintiff's ongoing depression, low levels of drive, low frustration tolerance as well as her fatigability will likely render her less resilient and less competitive in the open labour market. It is her view that due to cognitive difficulties, concentration lapses, difficulties in retrieval of information; which serve as additional barrier; emotional trauma, and travel related anxiety incurred due to the sequelae of the injuries, her highest level of education would in all likelihood remain an Honours degree (NQF8), which evidently has taken her 4 years, beyond record time.

[29] She concludes that, from neuroeducational perspective, the plaintiff suffered a severe traumatic brain injury with severe neuropsychological dysfunction, vestibular dysfunction, and sleep arouser disorder. She would not be able to reach her academic potential that of a doctorate, and achieve her career dream of certified chartered accountant. Her injuries have resulted in a significant future loss of earnings. She requires a sympathetic/accommodative employment. Her collective limitations have significantly and permanently curtailed her ability to compete for lucrative employment and to maintain employment relevant to her educational background. The plaintiff will be limited to securing temporary/contract type positions of a lower semi-skilled nature in the open labour market.

[30] Under cross examination, she testified that the documents which she referred to are all in her reports. She postulated that based on the plaintiff's scholastic history contained in the educational psychologist's report, the plaintiff had a potential to pursue a doctorate degree or become a chartered accountant at NFQ 10 level. She now has a residual earning capacity at a lower skilled level. Currently she battles to get interviews.

Submissions

[31] Counsel for the plaintiff submitted that the defendant did not contest the reports of Dr Breytenbach, the orthopaedic surgeon, and Dr Miller, the psychiatrist, whose reports I am urged to have regard to. She submitted that Dr Breytenbach came to the conclusion that the plaintiff will have restrictions in physical activities and some deficiency in mobilisation, while Dr Miler opines that the plaintiff would benefit from being referred to a psychiatrist for psychotropic medication to treat her depression, anxiety, panic disorder and Post Traumatic Stress Disorder (PTSD). In regard to the acceptance of the expert's opinion, counsel for the plaintiff referred me to the case of *PriceWaterhouseCoopersinc v National Potato Co OP 2015 ZASCA 2* in which the Court had this to say:

“Opinion evidence is admissible “when the Court can receive “appreciate help” from that witness on the particular issue. “That will be when:

‘...by reason of their special knowledge and skill, they are better qualified to draw inference than the trier of fact. There are some subjects upon which the Court is usually quite incapable of forming an opinion unassisted, and others upon which it could come to some sort of independent conclusion, but the help of an expert would be useful.” I cannot agree more with the approach and principles enunciated in the cited authority.

[32] The defendant's counsel on the other hand, submitted that the plaintiff's educational psychologist conceded that he was not in possession of the primary and high school reports, and only had the plaintiff's matric and university transcripts. In this regard Ms. Mhlanga argued that the said expert's findings and conclusions were inadequate to determine the plaintiff's learning journey. Moreover, she argued, the plaintiff repeated grade 10, and the educational psychologist ought not to have placed the plaintiff at high average without the relevant school reports. The questions raised by the defendant were eloquently dealt with by Dr Seabi, when he stated that he had regard to various factors before coming to the conclusion that the plaintiff possessed the necessary potential to pursue a PHD degree pre accident.

Discussion

[33] The plaintiff reported to the industrial psychologist, Ms Talmud that her main concern was her anxiety, which has affected her interpersonal skills which in turn has affected academic performance negatively. These challenges continue to affect her interaction at her current workplace. She does not engage in any social interaction at work and she limits her interaction with her manager. Her career choice is limited to sedentary to light physical demand level.

[34] It is postulated that the plaintiff would most likely have been able to achieve a doctoral degree (NQF Level 10) pre-morbidly. She reported to the Industrial psychologist and other experts that her pre-morbid aspiration was to become a chartered management accountant (CMA). According to Talmud, she did a desktop research on the plaintiff's postulated career path. Given the fact that the plaintiff had completed a BCom Hons Management Accounting degree, she could have proceeded to complete a CIMA approved -programmed as shown in paras 6.2-63 of her addendum report.

[35] It is postulated that her pre-morbid career scenario will prevail in respect of the plaintiff's loss of earnings. According to the educational psychologist her cognitive difficulties have worsened and are likely deemed permanent. The findings made by the psychiatrist, neuropsychologists as per their initial reports remain unchanged. The neuropsychologist noted that the plaintiff is struggling and relies on the psychotherapeutic support to cope. Her mental health is likely to deteriorate.

[36] According to the occupational therapist, her physical decline is likely to persist due to ongoing pain limitations.

[37] I hold that that no proper case has been made by the defendant for me to ignore the evidence of the experts who testified before me. The evidence of the witnesses called by the plaintiff was clear and convincing. It was not disturbed or rebutted under cross examination. I find myself unable to align with Ms Mhlanga' submission that the mere absence or omission of other documents when assessing the plaintiff's scholastic performance renders their evidence unreliable. In my view that is not a sufficient reason for the court to reject their credible evidence. The educational psychologist has candidly admitted that he was not in possession of all

the school reports of the plaintiff when he was compiling his report. However, he explained that it was not the only evidentiary material required to determine the plaintiff's academic potential, there are other considerations such as the plaintiff's academic record which he had regard to. Ms Tulamd notes in her report that it was not even necessary to complete a PHD to progress to roles graded at Paterson E2. Her scholastic potential suggests that even in the absence of completing PHD studies, she would have been able to make decisions at the associated level of complexity and compete for market related earnings.

[38] Furthermore, on the facts before me, the plaintiff has shown that she was able to achieve a BCom Honours degree despite the challenges she faced, including the psychological impact emanating from the loss of her family members in the accident in question. I am prepared to accept that but for the accident, the plaintiff would have seen her future as a chartered accountant.

[39] Having regard to the injuries sustained by the plaintiff, the related sequelae thereof, it is clear that her competitiveness in the open labour market has now been truncated. She is neurologically and physically handicapped. I accept that, given the nature and extent of her injuries, and the sequelae thereof, she is unlikely to realize her dream as a chartered accountant.

[40] As in *Dippenaar v Shield Insurance Company Limited* [1979] 4 All SA 92(AD). "the defendant must make good the difference between the value of the plaintiff's estate after the commission of the delict and the value it would have had if the delict had not been committed. The capacity to earn money is considered to be part of the person's estate and the loss or impairment of that capacity constitutes a loss, if such loss diminishes the estate."

[41] I turn now to the quantification of loss of income suffered by the plaintiff. The evidence of the industrial psychologist, Ms Talmud, was to the effect that after qualifying as Associate of the Chartered Institute of Management Accountants (ACMA) plaintiff would have been able to increase her income in line with the market related guaranteed annual package for positions graded at Paterson C1. With the accumulation of experience she would have been able to compete for lower and

executive roles, then progressed to reach her career ceiling in positions graded at Paterson E2.

[42] As held in *Southern Insurance Association Ltd v Bailey* 1984 (1) Sa 98(A), often cited in these kind of cases, “any enquiry into damages for loss of earning capacity is of its nature speculative because it involves a prediction as to the future, without the benefit of crystal balls, soothsayers, augurs, or oracles. All that the Court can do is to make an estimate, which is often a very rough estimate, of the present value of the loss.”

[43] In *Santam Versekeringsmaatskappy Bpk v Byleveldt* (1973 2 Sa 146 (A)) Trollip AJ makes the point (174E-F):

“Basically, it is true, the compensation our Courts award is also for impairment of the capacity to earn, but generally it is measured by reference to the loss of earnings. Where the injured party was in normal employment at the time he was injured and would have continued in it but for his incapacitation, such employment is ordinarily regarded as reflecting his earning capacity. His loss of earnings, actual or prospective, is, therefore, usually taken as the true measure of the impairment of his earning capacity.”

[44] Returning now to the present case. The evidence establishes that the plaintiff’s earning capacity has been severely compromised. Furthermore, there is evidence to the affect that even if the plaintiff did not complete PHD she had the potential to progress to an associated level of complexity enabling her to earn an income that falls within the PHD earning brackets.

[45] With the above said, I am I agree with the plaintiff’s counsel, Ms Makopo, that the Court has sufficient evidence before it upon which an actuarial calculation to determine the plaintiff’s loss can be made, without having to defer to a robust, unrealistic and thumb suck approach.

[46] As regards the assessment of contingencies applicable to such calculation, Ms Mhlanga submitted that a higher contingent factor should be applied. On the

contrary, counsel for the plaintiff argued that the most appropriate approach is to apply the proverbial 5% contingency on the past loss of earnings, and 20% on the future loss of earnings based on the conspectus of all the facts. I have given consideration to their respective submissions. The less I say the better.

[47] Fortunately in this case the plaintiff has filed an actuarial report by GW Jacobson. I do not have to use a thumb suck approach.

[48] The report by the aforesaid actuary is based on the following relevant assumptions:

“4.1 Past and Future income but for the accident

4.1.1 Retirement Age

Retirement is taken at age 65

4.1.2 Income

Her income are taken as follows:

Date Salary Increase	Paterson Salary Level	Salary adjusted to date or Current Terms
1-Jul-24	C1 LQ Basic Salary	R 265 259*
1-Oct-24	C1 LQ Basic Salary	R 268 578
1-Jan-28	C1 Median Package	R 450 000
1-Jul- 41	E2 Median Package	R 1 806 240

Inflation adjusted uniform increases have been assumed between the above levels.

*R 268 578 per annum in current money terms.

4.1.3 Future Inflation

Her earnings would have increased after 1.10.2024 due to the effects of inflation at the rate of 6.34% per annum compound.

4.1.4 Pension Benefits

Pension benefits are included in the above packages where applicable.”

[49] The summary of the loss of income has been calculated as follows:

“Past Loss

Value of Income but for the accident	R 58 173
5% Contingency Deduction	<u>R 2 909</u>
	<u>R 55 264</u>
Value of Income having regard to accident	<u>R-64 481</u>

Future Loss

Value of Income but for accident	R 19 328 844
20% Contingency Deduction	<u>R 3 865 769</u>
Net value of income having regard to accident	<u>R 15 463 975</u>
Value of Income having regard to accident	R 2 733 329
20% Contingency Deduction	<u>R 546 666</u>
Net value of income having regard to accident	<u>R 2 186 663</u>
Net Future Loss:	<u>R 13 276 412</u>
<u>TOTAL NET LOSS</u>	<u>R 13 211 931</u>

This claim is however affected by the Road Accident Fund Amendment Act 19 of 2005. The annual loss at the time of the accident amounted to R 263 900 per annum. This limit was accounted for throughout the calculations. Due to the limitation of the losses, the loss of income reduces to the following:

Net Past Loss:	R -64 481
Net Future Loss:	<u>R 9 093 006</u>
<u>TOTAL NET LOSS:</u>	<u>R 9 028 525</u>

[50] I accept the above calculations which had taken into consideration the approach proposed by actuary Robert Koch appertaining to the contingencies.

[51] Accordingly, I make the following order in plaintiff's favour:

Order

1. The Defendant is to pay the Plaintiff the sum of **R 9 028 525.00** (Nine Million Twenty Eight Thousand Five Hundred and Twenty Five Rands) in respect of loss or earnings only, into the trust account of the Plaintiff's Attorneys, ***Zwelakhe Mgudlandlu Attorneys***. Payment of the capital amount is to be made within 180 (one hundred and eighty) days of this order failing which the Defendant shall become liable to pay interest *a tempore morae* on the capital amount aforesaid at a rate of **10,50%** per annum from 181 (one hundred and eighty one) days after date of this order to date of final payment.

2. The Defendant shall pay the Plaintiff's taxed or agreed party and party costs, such costs to include the costs incurred in respect of the employment of the following expert witnesses' reports together with their addendum reports, appearances, cost for settling heads of argument and reservation fees, if any and to be proven to the taxing master:-

2.1.1 Dr Mpotoane – Specialist Neurosurgeon

2.1.2 Dr Jonker – Neuropsychologist

2.1.3 Dr Seabi – Educational Psychologist

2.1.4 Ms Sivhabu – Occupational Therapist

2.1.5 Ms Talmud – Industrial Psychologist

2.1.6 Dr Breytenbach – Orthopaedic Surgeon

2.1.7 Dr Miles – Psychiatrist

2.1.8 Mr R Immelmann - Gerald Jacobson Actuaries

2.2 The costs of counsel employed on behalf of the Plaintiff on B scale.

2.3 In the event of these costs not being agreed, then:

2.3.2 the Plaintiff's bill of costs will be served on the Defendant; and

2.3.2 the taxed bill of costs will be payable within 180 (one hundred and eighty) days after taxation, failing which the Defendant shall become liable to pay interest *a tempore morae* on the taxed costs aforesaid at a rate of **10,50%** per annum from 181 (one hundred and eighty-one) days after taxation to date of final payment.

3. The payments referred to in paragraphs 1 and 2 of this order shall be made into the Plaintiff's attorneys, **Zwelakhe Mgudlandlu Attorneys**, trust banking account.

NAME OF ACCOUNT: Z[...] M[...] A[...]
BANK: F[...] N[...] B[...]
BRANCH: C[...] C[...]
ACCOUNT NO: 6[...]
REFERENCE: Z[...]
EMAIL: M[...]

4. The Defendant is to furnish the Plaintiff with an Undertaking in terms of Section 17(4)(a) of the Road Accident Fund Act, Act No 56 of 1996 within 30days, in respect of injuries sustained by the Plaintiff in a motor vehicle collision which occurred on **09th December 2017**.

MALUNGANA
ACTING JUDGE OF THE HIGH COURT
JOHANNESBURG

Heard on: 23 October -07 November 2024

Delivered on: 26 March 2025

For the Plaintiff: Adv. N Makopo

instructed by: Zwelakhe Mgudlandlu Attorneys

For the Defendant: Ms Mahlangu

instructed by: State Attorney, Johannesburg.