

REPUBLIC OF SOUTH AFRICA



IN THE HIGH COURT OF SOUTH AFRICA

GAUTENG DIVISION, PRETORIA

CASE NO.: 2025-80181

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

Date: 17 June 2025 E van der Schyff

In the matter between:

MADLALA SIZWE

PLAINTIFF

and

THE ROAD ACCIDENT FUND

DEFENDANT

JUDGMENT

Van der Schyff J

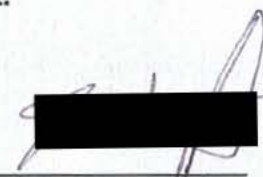
- [1] This matter was before me on 12 June 2025. The defendant did not appear. The plaintiff applied in terms of Rule 38(2) of the Uniform Rules of Court that the expert evidence be accepted on affidavit. I granted the application conditionally, reserving the right to call any expert witness.

- [2] After having heard counsel and read the expert reports, I am of the view that it is in the interest of justice to hear the educational and industrial psychologists before the quantum is finally determined for the plaintiff's claim for loss of income.
- [3] The matter is thus partly heard before me, and the plaintiff must contact my registrar to determine an appropriate date for the evidence to be heard.
- [4] The plaintiff is, however, entitled to the costs of 12 June 2025 since the postponement is for the most part attributed to the defendant's absence.

ORDER

In the result, the following order is granted:

- 1. The matter is postponed sine die.**
- 2. A date is to be arranged with Van der Schyff J's registrar for the plaintiff's identified witnesses to testify.**
- 3. In the event that the matter becomes settled, the parties may approach Van der Schyff J in chambers for the order by agreement.**
- 4. Costs of the day, on scale B, are to be paid by the defendant.**


 E van der Schyff
 Judge of the High Court

Delivered: This judgment is handed down electronically by uploading it to the electronic file of this matter on CaseLines. In the event that there is a discrepancy between the date the judgment is signed and the date it is uploaded to CaseLines, the date the judgment is uploaded to CaseLines is deemed to be the date that the judgment is handed down.

For the plaintiff:

M.H. Mokale

Instructed by:

M.B. Mabunda Incorporated

Date of the hearing:

12 June 2025

Date of order1:

17 June 2025