



IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, PRETORIA

CASE NO: 34965/2021

(1)	REPORTABLE: NO
(2)	OF INTEREST TO OTHER JUDGES: NO
(3)	REVISED.
06/05/2025	
DATE	SIGNATURE

In the matter between:

BENJAMIN LEIGH ACKERMAN

Plaintiff

And

ROAD ACCIDENT FUND

Defendant

REASONS FOR JUDGMENT:
REQUEST FOR REASONS IN TERMS OF RULE 49(1)(c)

MBONGWE J:

- [1] The Plaintiff was involved in a motor vehicle accident during 2019. It appeared his claim was settled with the Defendant, the Road Accident Fund, save in respect of the claim for past medical expenses.

- [2] The Plaintiff's matter came before me on 24 and 26 February 2025 when default judgment was sought against the RAF for payment of past medical expenses which included the cost of a flight that was incurred to ferry the Plaintiff from Johannesburg to Cape Town.
- [3] I awarded the amount for past medical expenses in respect of which proof that same had been submitted and claimed from the RAF, but refused to grant the flight costs of about R69,000.00. This request for reasons is in respect of the said refusal.
- [4] I have now perused the transcript of the proceedings of 24 February 2025 and noted that despite a lengthy engagement with the Plaintiff's Counsel, Mr Eia, during which I sought proof that the claim for payment of R69,000.00 for the flight had been submitted and the RAF was, therefore, aware thereof, no cogent proof of submission of that claim could be produced. I was, in consequence, not inclined to grant the order sought in those circumstances.
- [5] Counsel for the Plaintiff undertook to consult with his instructing attorneys and would return to court at 14h00. The matter was then stood down accordingly. Counsel never returned and no explanation was given.
- [6] On Wednesday, 26 February 2025, a different counsel for the Plaintiff, Mr Ras, appeared in court. He advised the court that he had been briefed in the matter that morning but had no knowledge of the facts and how far the matter had progressed, save that he was to hand in a Draft Order. The Draft Order

contained the amount for past medical expenses, for which submission to the RAF was proved in court. The Draft was accordingly made an order of the court.


MPN MBONGWE
JUDGE OF THE HIGH COURT
GAUTENG DIVISION, PRETORIA

Appearances:

For the Plaintiff:	Adv Eia; Adv Ras
Instructed by:	Savage Jooste & Adams
For the Defendant:	No appearance

Date of hearing:	24 & 26 February 2025
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Date of Order:	26 February 2025
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Date of Reasons:	06 May 2025
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