IN THE HIGH COURT OF SOUTH AFRICA
FREE STATE DIVISION, BLOEMFONTEIN

Not reportable
Case no: 446/2021

In the matter between

ZIRK BERNARDUS CHRIS JANSEN **PLAINTIFF**

and

ROAD ACCIDENT FUND **RESPONDENT**

Neutral citation: *Jansen v Road Accident Fund* (446/2021) [2025] ZAFSHC 321 (16 October 2025)

Coram: MHLAMBI J

Heard: Taxation review

Delivered: 16 October 2025

Summary: Taxation – Review of Taxing Master's stated case in terms of Uniform Rule 48(3) – failure to object during taxation – Taxing master's decision not subject to review.

ORDER

The applicant's objections are rejected.

JUDGMENT

MHLAMBI J

[1] The taxation of the plaintiff's party and party bill of costs in the above case number was finalised on 11 December 2023. Dissatisfied with certain rulings on items 38, 53, 68, 69, 71-74, 82, 74, 82, 74, 82, 83, and 85 in the applicant's attorney's Bills of Costs made by the Registrar and the Taxing Master of this Court, the latter was requested to prepare a stated case in accordance with rule 48(1) of the Uniform Rules of Court.

[2] It was stated in the case that the taxation was scheduled for 21 November 2023, and was presented by Mr Wynand Jansen from Collins Attorneys, with no opposition from the respondent. The procedure was postponed from that day at item 9 to 11 December 2023, to allow the applicant to provide the taxing master with file notes, reports, and other documentation, as there was no proof for the fees and disbursements. On 11 December 2023, the taxation resumed from item 10 onward, and no objections were raised to items 38, 53, 68, 38, 53, 68, 69, 71 to 74, 82, 83, and 85. No objections were made at any point.

[3] Relying on *Daywine Properties (Pty) Ltd v Murphy & Another*,[1] the Taxing Master stated that the party who failed to object should be barred from having the taxing master's decision reviewed because it was not subject to review under

[1] *Daywine Properties (Pty) Ltd v Murphy & Another* 1991 (3) SA 216 (D).

Rule 48(1). All relevant facts and circumstances were considered before the decision was made. The applicant did not respond to the master's stated case, and I do not find fault with the Master's ruling, nor is there any reason for the court to interfere.

[4] Therefore, I issue the following order:

The applicant's objections are rejected.

[redacted]

J J MHLAMBI

JUDGE OF THE HIGH COURT

Appearances

For the applicant:	No appearance
For the taxing master:	In person Bloemfontein.