

SOUTH AFRICA / JUDGMENT

Rand Mutual Assurance Ltd v Road Accident Fund (2021/49003) [2025] ZAGPJHC 487 (21 May 2025) [2025] ZAGPJHC 487

COURT

South Gauteng High Court, Johannesburg

BEFORE

GC Wright

CASE / FILE NUMBER

2021/49003

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IN THE HIGH COURT OF SOUTH AFRICA

GAUTENG DIVISION, JOHANNESBURG

CASE NO: 2021/49003

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

21 MAY 2025

WRIGHT J

RAND MUTUAL ASSURANCE LTD

Plaintiff

and

ROAD ACCIDENT FUND

Defendant

JUDGMENT

1. This trial is to be postponed as the defendant belatedly wishes to amend its plea. This issue was raised for the first time, today, when the case was called.

2. Both sides agreed that the matter be postponed. It was agreed that the defendant file its notice under Rule 28(1) of its intention to amend by 11 June 2025 at 4pm.
3. Adv ZD Maluleke for Rand Mutual asked that the defendant be ordered to pay the wasted costs of trial on the attorney and client scale, including the costs of counsel.
4. Mr Klaas, for the Fund argued against attorney and client costs but in my view there is no answer to a request for punitive costs.

ORDER

1. The trial is postponed sine die.
2. The defendant is to file its notice under Rule 28(1) of its intention to amend by 11 June 2025 at 4pm.
3. The defendant is to pay the plaintiff's wasted costs of trial on the attorney and client scale, including costs of counsel.

GC Wright

Judge of the High Court

Gauteng Division, Johannesburg

HEARD: 21 MAY 2025

DELIVERED: 21 MAY 2025

APPEARANCES :

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CASE PAGE <https://chat.esheria.ai/case-law/south-africa/rand-mutual-assurance-ltd-v-road-unknown-topic-agpjhc-2025>

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