

SOUTH AFRICA / JUDGMENT

Tabata v Road Accident Fund (809/09)

[2011] ZAECHGC 31 (8 June 2011)

[2011] ZAECHGC 31

COURT

Eastern Cape High Court, Grahamstown

BEFORE

J M Roberson

CASE / FILE NUMBER

809/09

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IN THE HIGH COURT OF SOUTH AFRICA

(EASTERN CAPE – GRAHAMSTOWN)

CASE NO: 809/09

DATE HEARD: 02/06/2011

DATE DELIVERED: 08/06/2011

In the matter between

NOMATHEMBA AUDREY TABATA PLAINTIFF

and

ROAD ACCIDENT FUND DEFENDANT

ORDER

ROBERSON J:-

The defendant is ordered:

[1] To pay to the plaintiff damages in the sum of R388 539.00, made up as follows:

General damages R100 000.00

Past loss of earnings R33 912.00

Future loss of earnings R254.627.00

- [2] To pay interest on the above amount at the legal rate from a date 14 days after the date of this order
- [3] To furnish the plaintiff with an undertaking in terms of s 17 (4) (a) of the Road Accident Fund Act 56 of 1996, for the costs of the future accommodation of the plaintiff in a hospital or nursing home or treatment of or rendering of a service or supplying of goods to the plaintiff after such costs have been incurred and on proof thereof:
- [4] To pay the plaintiff's costs of suit together with interest thereon at the legal rate from 14 days after taxation to date of payment, such costs to include:

4.1 The travelling costs of the plaintiff's counsel in attending consultations with expert and other witnesses.

4.2 The travelling costs, consultation fees, reservations, appearance fees, if any, and the qualifying expenses, if any, of the following experts:

Mr. Johan Lourens, industrial psychologist

Dr. Carl Liebetrau, orthopaedic surgeon

Ms Susan Human, occupational therapist

Mr. Wim Loots, actuary.

J M ROBERSON

JUDGE OF THE HIGH COURT

Appearances:

Plaintiff: Advocate N. Schoeman, instructed by Netteltons Attorneys, Grahamstown

Defendant: Ms F. Bosman, Dullabh Attorneys, Grahamstown

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