

**REPUBLIC OF SOUTH AFRICA**



**IN THE HIGH COURT OF SOUTH AFRICA**

**(GAUTENG DIVISION, PRETORIA)**

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

21/6/2024  
DATE

  
SIGNATURE

**CASE NO: 056717/2022**

In the matter between:

**THE ROAD ACCIDENT FUND**

**Applicant/Defendant**

and

**DR JOHANNES HEYMANS (PTY) LTD**

**Respondent/Plaintiff**

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**JUDGMENT: LEAVE TO APPEAL**

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*(The matter was heard in open court but judgment was handed down by uploading the judgment onto the electronic file of the matter on CaseLines and by circulation thereof to the representatives of the parties electronically. The*

*date of the judgment for handing down is 21 June 2024 and deemed to be the date of uploading thereof onto CaseLines).*

**HOLLAND-MUTER J:**

[1] I have read the written heads of arguments and the application for leave to appeal as uploaded onto CaseLines. I listened to the arguments presented by the representatives of the parties in open court when the application for leave to appeal was heard.

[2] In terms of section 17 of the Superior Courts Act, 10 of 2013, leave to appeal may only be given where a Judge is of the opinion that the appeal would have a reasonable prospect of success, or there is some other compelling reason why the leave should be given.

[3] There are in my view no compelling circumstances why the appeal should be heard; I find no important points of law to warrant a consideration by a higher court.

[4] I am also not persuaded that the appeal would have a reasonable prospect of success.

**ORDER:**

1. The application for leave to appeal is dismissed with cost, and all costs pertaining to work done after 1 April 2024 are awarded on scale "B".

  
  
21/6/2024  
J HOLLAND-MUTER

Judge of the Pretoria High Court.

Heard on 20 June 2024

Judgment handed down on 21 June 2024

**APPEARANCES:**

Obo Applicant/Defendant: Adv

Obo Respondent/Plaintiff: Adv