



THE SUPREME COURT OF APPEAL
OF SOUTH AFRICA

MEDIA SUMMARY – JUDGMENT DELIVERED IN THE
SUPREME COURT OF APPEAL

27 May 2011

STATUS: Immediate

PUTCO (PTY) LTD v WINNIE MINA MOSHOLI (577/2010)

Please note that the media summary is intended for the benefit of the media and does not form part of the judgment of the Supreme Court of Appeal

The Supreme Court of Appeal (the SCA) today dismissed with costs an appeal against the judgment and order of Van den Heever AJ in the North Gauteng High Court, Pretoria, in terms whereof Putco was held liable for such damages exceeding the amount of R25 000.00 as Ms Winnie Mosholi is able to prove to have suffered as a consequence of injuries sustained in a motor vehicle collision.

Ms Mosholi was a fare paying passenger in a Putco bus en route to the Kruger National Park on a social excursion when the bus collided from the rear with a bakkie on the N4 toll road. She sustained injuries and received an amount of R25 000.00 from the Road Accident Fund as settlement. She successfully sued Putco in the Pretoria High Court for the balance of her damages.

The SCA held that the trial judge correctly found that the probabilities and improbabilities were evenly balanced and that there are no grounds warranting interference on appeal with the credibility finding which he made in favour of Mr.

Mosholi's witness and against Putco's witness. The appeal was therefore dismissed with costs.

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