Q2 Chapter VII of Specific Relief Act mention about Injunction from Section 36 to 42. (3)

Injunction is a preventive remedy made to the parties. Injunction is the Judicial remedies provided to the aggrieved party to restore legal rights which were affected by other party. Since Injunction acts in personem, can affect the rights of the person, Rights can be affected by creating third person right, threating the person or by dispossession of the property of plaintiff. The injunction is granted at the discretion of court whether its temporary, perpetual or mandatory Injunction

There are 3 Maxims in relation with Injunction such as:

1. He who seeks equity must do equity- The person asking for equity must ensure equity is delivered.

2. One who seek equity must come with clean hands:- The plaintiff who reaches to court for asking relief must not be at fault.

3. Whenever there is right there is remedy- Injunction is judicial remedy for all individual.

The Act mentions these types of Injunctions:-

1. Temporary Injunction: S-37, Specific Relief Act
2. Perpetual Injunction - S-38-42 Specific Relief Act
3. Mandatory Injunction S-39 Specific Relief Act.

BASIS	TEMPORARY	PERPETUAL	MANDATORY
Meaning	Injunction granted for Temporary period for restoring the rights of plaintiff. The procedure are regulated by civil Procedure Code, 1908	Injunction is granted by Decree permanently. Injunction is granted by Decree of the court and the examination of facts and merits of case.	Injunction is the order in which required Defendant to act positively. This requires the defendant to deliver the possession of property to rightful owner.
Mentioned	CPC, Order 39, Rule 1 to 5 and section 37, Specific Relief Act	Section 38 to 42, Specific Relief Act	Section 39 Specific Relief Act.
Basis	Decided on basis of 1 party	Decided on basis of both the parties	
Order	Order Under Temporary Injunction is order of Court	Order Under perpetual Injunction is Decree	It's final relief by the court towards the party and not Interim relief.

may be granted at any stage of the suit

Edzorb TRUE LEARNING

Specific Relief Act States conditions when Injunction can be refused. The given below are circumstances:-

Section 41 of Specific Relief Act 1963

Merging all ground

1. When Injunction against the breach of the contract.
2. When Injunction is granted for illegal agreements.
3. Injunction against alien.
4. When Contract not specifically enforced.
5. Injunction against criminal.
6. When Conduct of Plaintiff is disentitle him.

The Injunction is Judicial and discretional remedy granted for Plaintiff and Stop the defendant or third party from restrain the action.

Edzorb TRUE LEARNING

2

Q3:. The limitation act speaks about the relaxation period which is provided by the court to the party.

The legal maxim "Vigilantibus non dormientibus jura Subveniunt" stat that those who are vigilant and doesnot sleep over his rights are welcomed to file any suit, appeal and execution within the prescribed period.

Write Section 4, 5, 13, 14, 15 in brief

The limitation act provide time frame as remedy to the aggrieved party as mentioned in the Act. Some of the remedy are mentioned below:

Section 6 talks about the conditions such legal disability such minority, lunatics and Insanity, where ever any condition arises, the plaintiff/defendant can appeal one the disability ceases. The limitation period under this section shall be 3 years.

Write Section 27

Section 9 of the act states once the limitation period begin no subsequent disability or any ability cannot stop person from filing any suit or application to stop.

The limitation Act always ask, the aggrieved person to use the prescribed period to file timely and not to sleep over their rights.

EDZORO TRUE LEARNING

Mains Evaluation By Edzorb Law

N Nishtha Singh

★★★★★ 09/12/2022

Remember the stories you read as a child, that you still remember with utmost clarity. Same is the content available on edzorb. It's fun, interactive, knowledgeable and everything an aspirant could ever ask for. There is only so much one could say about the benefits that can be availed by being part of the edzorb family. EDZORB IS THE SOLUTION, judicial services aspirants have been looking for all these years. One need not mug up things, simply spend quality time with edzorb & VOILA! :)



Garvit Dave

★★★★★ 25/08/2021

Dear ma'am Greetings of the day! On a personal note, Edzorb law helped me a lot, rather it helped me immensely in my preparation. As we all know that standard books for the preparation are very bulky & language is also hard but the way Edzorb team has put effort to explain the concept through pictorial example which are related to our day to day life, thus making it very simple and easy to understand various provision. With regards to notes, I would contend that they are very simplified and provide in depth knowledge of every subject, one can never feel tired while studying. The best thing is the highlighted portion of it. To summarise The course, is very helpful for quick revision. Thank you EDZORB for your extreme efforts. With best regards Garvit dave



Nisha Singh

★★★★★ 02/01/2023

Edzorb law is a digital app that helps simplify preparation.I adore and recommend the app as it provides overall preparation tactics. Even if you are traveling you can just access it from anywhere. The simplified notes are the best way to revise Bare Act, and the Q bank is designed to ensure full coverage of topics for an overall preparation. I am grateful to be a member of the Edzorb family.

Edzorb Law
True Learning



JUDICIARY OLYMPIAD

Don't be too late to win SCHOLARSHIP

REGISTER NOW for Judiciary Olympiad **@EdzorbLaw App**

60 Mins. 120 Questions. National Ranking

@Edzorblaw

+91 988-988-3719 | **www.edzorblaw.com**

Edzorb Law
True Learning

Ace your Judiciary Exams

with Premium+ Course

ACT NOW

+91 988-988-3719

PODCAST

listen to our Exclusive **SoulSpeak Podcast**

@EdzorbLaw