

An aerial photograph of a large, classical-style government building with a prominent central dome. The building is surrounded by a wide courtyard featuring a central fountain with a tiered base and a central column. The scene is captured in a blue-tinted, monochromatic style. The text 'Temporary injunctions and interlocutory orders' is overlaid in white on a black rectangular background in the upper center of the image.

Temporary injunctions and interlocutory orders

Manoj Prasad
PDJ Cum Chairman.
Commercial Taxes Tribunal
Ranchi, Jharkhand

General Aspects

- Orders on interrogatories and discoveries
- Orders on admission
- Orders on first hearing
- Orders for production of documents
- Orders of injunction
- Order for interim sale
- Detention, preservation, inspection etc.
- Deposit of money
- Orders for appointment of receivers
- Orders of stay of proceeding
- Orders for additional evidence

INJUNCTIONS

1. Prohibitory injunctions
2. Mandatory injunction
3. Dynamic injunction --
 - Challenges - technology
 - exceeding the purpose- over blocking
 - jurisdictional issues
4. No injunction if there is a statutory prohibition

INTERLOCUTORY ORDERS

1. Order for interim sale
2. Detention, preservation, inspection etc.
3. Deposit of money
4. Order XXXVIII

Life of an interim order

1. Either as provided under the statute
2. As per the directions given in the order itself

Judicious discretion in grant of interim orders

1. No interim relief unless there is main relief to the same
2. Prima facie case
3. Balance of convenience
4. Irreparable injury
5. Adherence to the Principles of natural justice
6. Assessment by the judge
7. Facts of the case
8. Security for performance

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Thank You

VÖGELE