

SRA-C09 - Perpetual and Mandatory Injunctions, Damages and Refusal Grounds

Specific Relief Act, 1963 - 7 provisions

Purpose Translate this chapter into transaction, evidence, performance and remedy controls.	Who is covered Parties, firms, partners, buyers, sellers, principals, agents or litigants affected by this chapter.
Main control Classify the relationship, map every statutory condition and preserve authority, execution and performance evidence.	Top risk Using a template or label without testing event-date law, consent, title, authority, limitation and State overlays.
Remedy Quantify breach and loss, mitigate, issue a valid notice and select the correct substantive relief and forum.	State alert Court fees, pecuniary jurisdiction, special-court notifications, local civil rules and infrastructure designations require location-specific verification.

Provision map

s.38 Perpetual injunction when granted; s.39 Mandatory injunctions; s.40 Damages in lieu of, or in addition to, injunction; s.41 Injunction when refused; s.42 Injunction to perform negative agreement; s.43 [Repealed.]; s.44 [Repealed.]. THE SCHEDULE. THE SPECIFIC RELIEF ACT, 1963

Five-point professional checklist

1. Freeze event date, parties and transaction.
2. Map statutory limbs and exceptions.
3. Verify authority, consent, stamp, registration and evidence.
4. Calculate price, loss, partner accounts or relief and limitation.
5. Select notice, remedy, forum and settlement path.

Finin2min takeaway: Law - trigger - procedure - evidence - remedy. No step may be assumed.