

PRINT / DOWNLOAD PDF

Interlocutory injunction – Injunction – Appeal – Scope of interference in an appeal against exercise of discretion by the trial court to grant an interlocutory injunction – Interference in <u>second appeal</u> would be called for only if we reach the conclusion that the exercise of discretion in favour of the plaintiffs is contrary to the settled principles for the grant of a temporary injunction or that it is arbitrary or perverse – The concurrent <u>findings</u>, on which the grant of interlocutory injunction in favour of the plaintiffs is based is, to say the least, a reasonable conclusion on the relevant material available at this stage – It is not for this court at the stage of second appeal to reassess the material and reach an independent conclusion thereon for the first time and it has only to be seen whether the conclusion reached by the trial court was reasonably possible on the material.

read HERE: 1996 PLRonline 0002

Tags: Injunction, Injunction - interlocutory, Injunction - Scope of intereference, Passing off