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Ordinarily the Court is not to use its inherent powers to make the necessary orders in the interests of justice but is merely to see whether the circumstance of the case bring it within the prescribed rule. If the provisions of S. 94 were not there in the Code the court could still issue temporary injunctions, but it could do that in the exercise of its inherent jurisdiction. No party has a right to insist on the court's exercising that jurisdiction and the court exercises its inherent jurisdiction only when it considers it absolutely necessary for the ends of justice to do so.

It is in the incidence of the exercise of the power of the court to issue temporary injunction that the provisions of S. 94 of the Code have their effect and not in taking away the right of the Court to exercise its inherent powers. Section 151, C. P. C., itself says that nothing in the Code shall be deemed to limit or otherwise affect the inherent power of the Court to make orders necessary for the ends of justice.

In the face of such a clear statement, it is not possible to hold that the provisions of the Code control the inherent power by limiting it or otherwise affecting it. The inherent power has not been conferred upon the Court; it is a power inherent in the Court by virtue of its duty to do justice between the parties before it. Further, when the Code itself recognizes the existence of the inherent power of the Court, there is no question of invoking any power outside the limits of the Code. Thus, there being no such expression in S. 94 which expressly prohibits the issue of a temporary injunction in circumstances not covered by O. 39 or by any rules made under the Code, the Court have inherent jurisdiction to issue temporary injunction in circumstances which are not covered by the provisions of O. 39, C.

P. C., if the court is of opinion that the interests of justice require the issue of such interim injunction.