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Specific Relief Act 1963

Section 8 - Liability of Person in Possession, Not as Owner, to Deliver to Persons Entitled to Immediate Possession

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Any person having the possession or control of a particular article of movable property, of which he is not the owner, may be compelled specifically to deliver it to the person entitled to its immediate possession, in any of the following cases.--

(a) when the thing claimed is held by the defendant as the agent or trustee of the plaintiff;

(b) when compensation in money would not afford the plaintiff adequate relief for the loss of the thing claimed;

(c) when it would be extremely difficult to ascertain the actual damage caused by its loss;

(d) when the possession in the thing claimed has been wrongfully transferred from the plaintiff.

Explanation.--Unless and until the contrary is proved, the court shall, in respect of any article of movable property claimed under clause (b) or clause (c) of this section, presume--

(a) that compensation in money would not afford the plaintiff adequate relief for the loss the thing claimed, or, as the case may be;

(b) that it would be extremely difficult to ascertain the actual damages caused by its loss.