

Can a Bais Din Issue an Injunction Against Someone Before He Comes to a Din Torah?

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Question:

I feel that a new competitor is infringing on my business. I sent him a *hazmanah* but he is taking his time in responding. In the meantime, I am suffering financial losses because of him. Can the bais din issue an injunction to stop him from causing further harm until the din Torah commences?

Answer:

Yes. This type of injunction is called an “**ikkul**” and bais din can issue it as a lien of sorts until the *din Torah* is held. Obviously, we will not issue one unless a *shtar beirurin* is signed by the other party to ensure that the case will be heard in this bais din and the *ikkul* will not be misused.

While an *ikkul* does not really have much legal standing, its effectiveness is in the fact that it will create social and monetary pressure within the Jewish community, which will usually persuade the defendant to comply with the instructions of the bais din.