

Stages of Court Consideration of a Civil Case

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Abstract

The emergence of new conditions as a result of democratic changes in our country requires updating the procedural form of court activities, taking additional measures to further strengthen the legal position of persons participating in court sessions, and protect their rights and legal interests. This article describes about some stages of court consideration of a civil case.

Keywords: Civil procedure, court, civil case, rights.

Civil procedures - (within the Republic of Uzbekistan) exercises related to hearing, tackling and executing court choices in civil cases. It is decided by the standards of civil procedural law. The procedural law decides the correct of interested people to take part within the case, to give them a number of procedural rights and to force procedural obligations on the people curious about the execution of court exercises. Civil procedures are considered as a frame of assurance of property and individual rights of people by the court. In this respect, certain gracious procedural activities are taken. Such activities comprise of procedural activities performed by the parties to the respectful case and other members within the case, as well as the procedural activities of the court conducting equity in gracious cases. The court's movement on thought and settlement of gracious cases is separated into certain stages (parts). These stages of the respectful handle comprise of: starting a gracious case, planning the case for hearing in court, hearing and choosing the case at a court session, recording complaints and dissenting the court's choices and decisions, and at long last executing the court's choices. The legislation on conducting civil court cases consists of this Code and other legal documents.

The legislation on the conduct of civil court cases includes cases in the order of order, cases in the order of claim, cases in a separate procedure, cases related to the decision of the arbitration court and decisions of foreign courts and foreign arbitration courts (arbitrations) determines the procedure for consideration and resolution of cases related to recognition and enforcement. A civil case is formed by the court on the basis of the documents and court documents submitted to the court by the persons participating in the case, other participants in the civil court proceedings or requested by the court.

A civil case can be formed electronically. A paper copy of a civil case created in electronic form may be available. If the civil case is formed in electronic form, the persons participating in the case and other participants in civil court proceedings have the right to submit documents to the court in electronic form. The written documents submitted to the court by the persons participating in the case and other participants in civil court proceedings are attached to the case in electronic form, after which the written documents are returned to the persons who submitted them.

If the civil case is formed in electronic form, the court documents are confirmed with the digital signature of the judge (judges), and the minutes of court sessions and procedural actions are confirmed with the digital signature of the presiding judge and the secretary of the court session.

Transfer of a civil case formed in electronic form to another court or other body is carried out through the information system. Justice in civil cases is carried out only by the court, according to the rules established in this Code. All court hearings are held in public.

In cases where there is information related to state secrets, adoption secrets, and in other cases provided for by law, the discussion of the case is held in a closed court session. In order to prevent the disclosure of information about the personal life of the persons participating in the case, to preserve the secrecy of correspondence and other secrets protected by law, it is allowed to hold a closed court hearing. When the case is heard in a closed session of the court, the persons participating in the case, and in necessary cases, witnesses, experts, specialists and translators are also present. The hearing of the case in a closed session of the court is conducted in compliance with all the rules of civil court proceedings. It is not allowed to use the video conference system during the closed session of the court. The decision of the court shall be read publicly in all cases. Court documents entered into legal force may be published on the court's official website with the consent of the parties or anonymously, with the exception of court documents adopted in a closed session of the court. The court has the right to take measures in accordance with the law to determine the real circumstances of the case, the rights and obligations of the parties, comprehensively and objectively, without being limited to the presented materials and explanations. The court should explain their rights and obligations to the persons participating in the case, warn them about the consequences of taking or not taking procedural actions, and help the persons participating in the case to exercise their rights.

The list of used literatures:

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4. Articles 1, 2, 5, 7, 9, 11 of the Constitution of the Republic of Uzbekistan.