



## THE CONCEPT AND SPECIFIC FEATURES OF THE SUITABILITY OF ADMINISTRATIVE CASES

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### Annotation

In the activity of the courts as well as the Institute of relativity in the theory of procession law, the practice of its application is of paramount importance. That holds an important place in studying the suitability of disputes or exactly which courts to be considered and resolved.

**Keywords:** adjudication, belonging, conviction, public legal relations, pre-trial dispute resolution, interested person, administrative body.

In relations with administrative bodies in all developed countries, the implementation of effective measures aimed at protecting the rule of law, the rights and freedoms of citizens, as well as enterprises, institutions, organizations, ensuring their legitimate interests is defined as an urgent task. In our country, as one of such bodies, extensive work is being carried out to improve the activities of newly formed administrative courts. In particular, with the decree of the President dated 24.07.2020 "on additional measures to further improve the activities of the courts and increase the effectiveness of fair trial" 2021 Year 1 Administrative Courts of the Republic of Karakalpakstan, centers of the regions and districts of Tashkent were established in January, in this regard administrative courts of the district (city) were The newly established district is the fact that administrative courts are specialized in seeing cases arising from administrative and other public legal relations. So far, the administrative courts have fulfilled the tasks of ensuring the rule of law in relations with administrative bodies, the rights and legitimate interests of citizens and legal entities, the protection of the rights and legitimate interests of citizens and legal entities in the field of administrative and other public legal relations, which are violated or disputed, in turn, ensure the institution.

According to the request of Article 26 of the code on the conduct of administrative judicial affairs of the Republic of Uzbekistan for newly formed administrative courts, cases arising from the protection of violated or disputed rights, freedoms, legitimate interests of citizens and legal entities, administrative and other public-legal relations are regulated, except for cases related to the Constitutional Court of the Republic Also by law, other cases can be entered into the sentence of subordinate cases in the Administrative Court.





In the Code of the Republic of Uzbekistan on the conduct of administrative judicial affairs, it is established that the general rules on subordination, the merging of several interrelated requirements, their suitability to the judiciary, as well as the cases on complaints about the decisions, actions (inaction) of administrative bodies and citizens' self-government bodies, their officials, if their consideration is not included. It should be borne in mind that although the code on the conduct of administrative proceedings contains norms of jurisdiction, jurisdiction in court, in practice there are also uncertainties in determining the exact limit of distribution of administrative cases in court or in the procedure established by law on the part of state bodies or public associations, as well as in judicial systems. These ambiguities also appear to the court that cases of application and appeal to the court in the event of non-compliance with the rules of law is encountered. In order to ensure the uniform and correct application of the norms of the law in the consideration of cases on complaints against the decisions, actions (inaction) of administrative bodies and their officials by the courts of the Supreme Court Plenum of the Republic of Uzbekistan "on judicial practice on consideration of cases on complaints against decisions, actions (inaction) of administrative bodies and In general, the activity of the courts, as well as the Institute of relativity in the theory of procession law, the practice of its application is of paramount importance. In that holds an important place in studying the suitability of disputes or exactly which courts to be considered and resolved.

Validity-the sum of the legal norms limiting and regulating the authority to settle administrative affairs considered by the state body or public associations in accordance with the procedure established by law. In quality-the sum of procession norms are that determine the resolution of administrative cases considered by the courts or the limit of their consideration in court. The basis will be the requirements for the types of persons participating in the determination of suitability to the Administrative Court, the subject and attitude of the dispute, as well as the procedure for the pre-trial dispute settlement. Analyzing the criteria for determining this validity, it is stipulated that the persons participating in the case, that is, the applicant, applying to the Administrative Court, is an interested person (physical and legal), while the second party is responsible.

The person concerned is understood to be the person who is applying for his or her violated or disputed rights and legitimate interests. In accordance with the code of administrative proceedings, any interested person has the right to appeal to the Administrative Court to protect his or her violated or disputed rights or interests protected by law. Its violated or disputed right is understood - collegial or individual behavior, inaction or decision, which causes a violation of the rights and freedoms of





a citizen, creates monies for the realization of his rights and freedoms of a citizen, causes a violation of the law on the obligations of a citizen. The refusal of the right to apply to the court is not valid by law.

In the resolution of the Administrative Court, the responsible party is also responsible for the proper identification of the administrative bodies, self-governing bodies of citizens and their officials, that is, the application (complaint). When talking about the administrative body, it is understood that ministries, state bodies, departments, agencies, departments, centers, districts and their territorial bodies, on-site executive bodies, self-governing bodies of citizens, as well as other organizations and specially established commissions with administrative and managerial powers are indicated in the list of Public Administration bodies of the Republic approved by the decree of the president of In accordance with the first part of Article 22 of the law of the Republic of Uzbekistan" on local state power", the bodies of local executive power (Regional, District and city authorities) and other bodies having the authority to receive documents that produce legal results are understood. When self-governing bodies of citizens say, in accordance with the first part of Article 8 of the law of the Republic of Uzbekistan" on self-governing bodies of citizens", citizens' gatherings in towns, villages, and ovules, as well as in cities, towns, villages and ovules are understood. An official is understood to be a person who is appointed or elected by permanent, temporary or special authority, performs the functions of a representative of power in state bodies, self-governing bodies of citizens, or performs organizational, administrative and economic functions and is authorized to commit acts of legal significance.

If we consider the subject of the dispute as the basis for determining the contravention of the administrative court, then in accordance with the code of conduct of the Administrative Court, the cases considered by the Administrative Court are determined, according to which the court, the departmental normative – on the dispute on legal acts, on the settlement of disputes over the actions (inaction) of state management bodies, other bodies authorized to carry out administrative legal activities, decisions of citizens self-government bodies and officials that do not comply with the legislation and violate the rights and interests of citizens or legal entities protected by law, on the settlement of disputes over the, work on the dispute over the refusal to register or the actions (inaction) of the notary or the official of the civil status authority on the writing of acts of the civil status, on investment disputes, on competition, on the refusal of state registration or on the appeal against the evasion from the state registration within the specified period, on the grounds that the court, it also solves other cases that arise from administrative and other public legal relations





on the protection of their freedoms and legitimate interests, which are included in its competence by law. The court shall be guided by these rules to determine the category of cases that are relevant to its competence and, in this way, to prevent the admissibility of cases belonging to other courts, bodies to proceedings.

According to the legislation, the decisions of the Constitutional Court of the Republic of Uzbekistan, state bodies entering into the absolute competence of the military courts of the Republic of Uzbekistan, as well as decisions, actions (inaction) of which the legislation provides for a different procedure for filing a complaint to the court, are not considered by the administrative court or are considered in In particular, according to Article 41 of the law "on Courts «of the Republic of Uzbekistan, Article 20 of the law of the Republic of Uzbekistan "on general military obligation and military service", complaints about actions (decisions) of military administrative bodies and military officials that violate the rights and freedoms of servicemen, as well as decisions of the convocation commissions of the Republic

At the same time, the Code of the Republic of Uzbekistan on the conduct of administrative judicial affairs stipulates that the law also establishes the enforcement of other cases included in the competence of the Administrative Court, the consideration of this correspondence not in accordance with the requirements established by the code, but in a separate law, the cases assigned to the authority For example, according to Article 15 of the law of the Republic of Uzbekistan on lawyer, the suspension of the validity of the license of lawyer is not fulfilled by the lawyer, or in the event of failure to comply with the decisions taken within the competence of the Territorial Administration of the association of lawyer or the judicial authority, which, in accordance with the, it is carried out by lawyer in cases where it is established that the requirements of the legislation on advocacy, the rules of professional ethics of the lawyer, the secret of lawyer and the oath of lawyer are violated. Termination of the validity of the license in Article 16 of the law on the basis of the conclusion of the higher qualification commission by the Administrative Court in the absence of an excuse within six months of the fulfillment of the duties related to the profession of according to the appeal of the Ministry of Justice of the Republic of Uzbekistan, when, by lawyer it is indicated that the requirements of the legislation on advocacy, the rules of the professional ethics of the lawyer, the secret of lawyer and the oath of lawyer are regularly or once grossly violated, when there is an act committed that repels the honor and dignity of the lawyer and lowers the reputation of the advocacy. Another example is when, according to the appeal of the Ministry of Justice of the Republic of Karakalpakstan, the Department of Justice, the issue of liquidation of the validity of the notary license in the notary law of the Republic of





Uzbekistan does not fulfill its duties within six months without valid reasons, when the decision on the issuance of the license is determined, it is established by the notary that the requirements of the legislation on notaries acts, the rules of professional ethics of notaries, the secrecy and notarization of notaries acts are carried out in accordance with the decision of the Administrative Court in the event of regular or one-time gross violation, the acts that stain the honor and dignity of the notary and In this regard, due to the fact that the Administrative Court in accordance with the rules on the jurisdiction of the court established by the Code of the Republic of Uzbekistan on the conduct of administrative judicial affairs, as well as the duties of the Administrative Court, is the functional duty of the Administrative Court to control the provision of legality over administrative, It would be expedient to introduce into the Administrative Court the norms of law that determine the right to appeal in the event of dissatisfaction with the decisions of the judicial authorities to suspend the practice of lawyer or the license of the notary, to terminate.

Also, the application of the institution of pre-trial dispute resolution is considered justified in determining the suitability of these cases to the administrative court, provided for in the law. According to the general rule, a citizen and a legal entity have the right to appeal directly to the court, regardless of whether they appeal to a subordinate body or an official with a complaint over actions (decisions) that violate their rights and freedoms. However, the laws may provide for the resolution of the dispute in a different order before applying to the court. Although the decision or action taken by the subject to the administrative court, it is not possible to appeal to the administrative court without having previously filed a complaint against the high standing link over the person of the official who issued the decision or fulfilled the action. In particular, the tax code of the Republic of Uzbekistan defines the laws of the Republic of Uzbekistan "on inventions, useful models and industrial samples", "on the achievements of selection", "on the legal protection of integrated circuits topologies" and "on trademarks, service marks and place names of Brand Origin". In accordance with these laws, it is possible to file a complaint in court on the decisions of the tax authority on the results of on-site tax audits and tax audits only after the complaint has been made to the Tax Authority of the higher category (this rule does not apply to the appeal against the decision of the state tax, It is established the belief of applying to the appeal Council of the property agency of the Republic of Uzbekistan on the decisions of the property agency of the Republic of Uzbekistan and applying to the court in case of dissatisfaction with its decision.

It is desirable that citizens and a legal entity, with a complaint about actions (decisions) that violate their rights and freedoms, first apply to the high – standing





system of the state body that made this decision (committed actions), which in practice causes the dispute to be resolved quickly and without appropriate judicial costs. In this regard, the consideration should include the implementation of a notaries act committed in the Administrative Court, the refusal to register the recording of acts of civil status, or the amendment of the procedure for filing a complaint to the Administrative Court on the actions (inaction) of the notary or the official of the civil status Authority, the decision and actions of the, before the court, it is necessary to strictly determine whether it is possible to file a complaint in the judicial procedure only after the appeal to the higher resident body by introducing a complaint procedure to the higher resident of these bodies.

This, in turn, derives from the administrative and public – legal relations the need to introduce relevant amendments and additions to the legislation aimed at further simplification of cases before administrative courts by reviewing material and procession norms on the validity of cases on the protection of violated or disputed rights, freedoms and legitimate interests of citizens and legal entities, analyzing the materials of.

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