



## RIGHTS AND OBLIGATIONS OF THE PLAINTIFF IN CIVIL COURT PROCESSES

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### Abstract

In this article, the application of civil proceedings, preparation and discussion in court it will be described in detail about the stages of making.

**Keywords:** Civil case, Judiciary, Constitution, democracy.

### Introduction

Radical reform of the judicial system during the years of independence, the formation of civil society formation, impartial, independent judicial power as a component of democratization strengthening as a network, the rule of Law, Human Rights and freedoms are reliable consistent work has been done to ensure protection. Our President Sh. M. Fairness, legality and impartiality of the policy pursued by Mirziyoyev that is, the historical documents that are being adopted are the opinion of the common people, his will, long-standing expressing dreams and goals, their main content is human interests consists of robust protection.

Civil litigation laws include civil, family, mcnat, housing, and disputed functioning, bodies and officials arising from other legal relations arising from legal relations concerning the behavior (decisions) of personalization and the operation, which is carried out in a separate order, determines the order of vision. Also, such laws consideration of the proceedings in the appellate and Cassation procedure, as well as the procedure for the execution of the decision of the court defines. Already, every legal professional is a procedural related to work how correctly to implement the norms of material and procedural law in the performance of actions, it will be facilitated that the cases will be resolved so legally and reasonably. The case of if the persons under consideration clearly know the methods of protecting their rights and interests, the case should be the correct solution will also be much easier. Civil law also has its own criminal procedure in relation to the right. The harm caused by the crime, in turn, is attributed to the victim the property damage caused and M creates the right to compensation for the damage caused. In this case, the law shall establish a civil claim in criminal proceedings or damage caused the civil court provides for collection in the order of proceedings.





Civil case-persons involved in the case, civil litigation documents submitted by other participants to the court or requested by the court and the court it is formed by the court on the basis of its documents. Civil work is formulated electronically in the case, the persons involved in the case and other cases of civil litigation participants have the right to submit documents to the court in electronic form. The case involved written, submitted to the court by individuals and other participants in civil litigation documents are added to the work in electronic form, after which written documents provide them returned to the persons who have reached. In the event that a civil case is formed electronically, the court documents are certified by the electronic digital signature of the judge (judges), the court and the minutes of their meetings and procedural actions of the presiding officer and the court certified by the electronic digital signature of the secretary of the assembly.

Transfer of civil work formed in electronic form to another court or to another authority it is carried out through the information system. Judgment, judgment, decision and order on the issue under consideration and resolution of the court accepts. The court of first instance decided the case on the results of content viewing does, and in some cases receives a court order. The court of appeal, the court of the instance of Cassation, issues a ruling on the results of the hearing of the case. The court of law included in its competence in the case of administrative offenses decides on the results of the vision. The court issues a ruling on the results of consideration of issues in which the case is not resolved in content.

In the implementation of justice in civil cases, the court makes sense. The Associated series performs procedural action. Such actions are in law based on the established requirements, i.e. application, statement of claim, complaint, objection (protest), the court's decision the act finds expression in the form of decisions, decisions and judgments. Litigation of civil cases the procedural document associated with the solution is justified, literate, compact and logical structuring relieves vision, which in turn helps to solve the case correctly. On the contrary, documents drawn up without compliance with the requirements of the procedural law are subject to proceedings makes it difficult, and in some cases provided for by law, a court by higher courts also comes to cancel their decisions.

Civil litigation law not everyone in the court recommends a strictly defined form for procedural documents, but one Code of civil procedure when drawing up a qalar document (hereinafter referred to as L'pk) it will be necessary to pay attention to strict adherence to the requirements specified in its norms. Perennial judicial practice has given rise to a number of judicial document examples in civil cases, such as we tried to show them the main ones in the book. For example, these are housing, marriage





and family relations, alimony collection works, recovery of damages cited, labor legal Affairs, organs and officiating behavior arising from relationships cases arising from legal relations related to (decisions), which are conducted in a separate order cases and work in the order of Appeal, Cassation and control, newly opened cases on reviewing work, are the procedural actions performed at the execution stage.

Before the trial of a civil case, or at the beginning of the trial, or continue in the creation of the chairman of the court each time by concluding a mutual agreement of the dispute from the parties whether they want to finish. asks (Section 180 of FPK). Between parties by agreement of the dispute; settled on the basis of compromise on certain conditions, without trial to be done is in most cases a purposeful and acceptable job. The structure of the agreement agreement, some in cases of a trivial case (dispute, claim), many of your citizen left the case and went to court offices frees from their arrival. Therefore, the court (the judge) shall consider the dispute between the parties to be mutual it is necessary to see a measure aimed at termination by agreement. If the parties agree agreement if they agree to conclude, the court will in all cases determine, verify the reasons for the conclusion of the transaction needed.

Such transactions are illegal, non-counterfeit, the only third of the parties it should not lead to violations of the right and interests of the person. If at the conclusion of the transaction if it is determined that there are illegal actions, goals, the court will not approve the transaction, and the court will consider the case continues to run. The settlement agreement is at the hearing, pre-trial, as well as at the execution stage can also be structured. The terms of the agreement agreement are included in the minutes of the court session and signed by both parties. If you are a party to a settlement agreement you are sent to court if expressed in their written petitions, these petitions were added to the case, the court said will be recorded in the statement. Before confirming the settlement agreement, the court advised the parties (plaintiff, responsible) to the consequence of the procedural action resulting from such an action explains.

Of government bodies and officials responsible for criminal proceedings ensuring the rights and legitimate interests of the participants in the process, violated rights conditions for restoration and their implementation of their rights without any obstacles the obligations to create constitute the content of this principle. Of this principle the norms are described in Article 43 of the Constitution of the Republic of Uzbekistan, state the rights and freedoms of citizens enshrined in the Constitution and laws by expressing the constitutional principle at the point of provision as the principle of Criminal Procedure, the protection of the rights and freedoms of each person involved in criminal proceedings guarantees. Sometimes during the





preparation of the case for trial or in the process of proceedings in court that this or that party or both parties are not the subject of a disputed legal relationship can be identified.

According to Article 42 of the FPK, the first instance the court ruled that with the consent of the plaintiff, the way to the replacement of the infringing respondent puts. It follows that the court did not impose a case only when the plaintiff agreed the respondent can replace the affected with the respondent. If the plaintiff is the defendant's if the other person agrees to be replaced with bommas, the court will consider this person as the second respondent has the right to get involved. The replacement of a non-working party is subject to the court's ruling is done. With independent requests from the replacement of the party or the subject of the dispute after a third party is employed or a second respondent is involved the case view begins anew (Article 42, part five of the FPK). Because in the process actions carried out by an inviolable defendant are involved in the case of inviolable it does not detract from any significance for the respondent, and for him no does not create rights-obligations. In the hearing of most civil cases at the hearing, in particular, with citizens arising from legal relations in the middle of citizens with citizens, organizations in the trial of disputes, of course, two parties are involved: the plaintiff and the defendant. But some in cases, in cases where the is seen in a separate order, only one party, any only a party can take part in the application to the court, stating the provision. in cases, there will be two sides that are opposed to the subject of the dispute. One of the parties plaintiff, that is, the protection of the right and interests guarded by law a person who has filed a lawsuit or has committed a case in the best interest, and a second on the side of the defendant, that is, in violation of the right and legitimate interest of the plaintiff in the lawsuit for will be the person involved to respond by the court. In this way the disputed right of or disputed, assuming that the subject of the man-faat guarded by law is the plaintiff and the subject of duty is assumed as responsible.

In civil proceedings, the parties are, i.e. citizens as plaintiffs and defendants, as well as enterprises, institutions, organizations there may be associations. In civil proceedings, the claim is made only by the plaintiff on the side, it is necessary not to provoke, but to protect the rights violated in all cases in order to ensure, the law also grants the right to bring a lawsuit in court to other persons. Articles 46-48 of the FPK show that the prosecutor, public administration agencies, institutions, enterprises, organizations, public associations or some citizens, if according to the law, they are brought before the court to protect the rights and interests of other persons may refer to boisa (Article 5 of the FPK), Court on the pending process shall be notified by and



shall have his right and his interest guarded by law standing on the side of the plaintiff in the process along with the person who filed for protection can participate.

But the court case is disputed, regardless of who initiated it the subject of law (the person concerned) is seen as a plaintiff in the process, in all cases. For example, let's say that the property of a disabled and blind citizen is illegally owned by someone although the prosecutor brought a case of a claim for the recovery of the damage caused, but the plaintiff the disabled person is counted, and the responsible party is the property right of the disabled, blind person there will be a violation person (or persons). Both parties to the settlement of the case in court: the plaintiff, defendants also enjoy equal rights. Both parties are involved in the dispute between themselves at the hearing, it is equal in court sessions, regardless of who instigated the dispute they have the right to participate in the level. Issues of disputed law can be heard in court and different from other participants in the partisan process in its resolution, to their own rights will have. The plaintiff to change the basis or subject of the claim, the claim to increase or decrease the amount of claims, or to abandon the claim, the plaintiff will have the right to confess to the lawsuit. Agreement of the case in any period of procedural proceedings can complete with the agreement (Article 40, Part 4 of the FPK). These rights of the parties according to the law, it is carried out under the supervision of the court.

In Article 2 of the Constitution of the Republic of Uzbekistan, the state expresses the will of the people reach and serve his interests, state bodies and officials of society and let it be legally guaranteed that he is in charge of the citizens!gan. Also, the people's state it is a source of power of the people of state power in the Republic of Uzbekistan for the benefit and adoption of the Constitution of the Republic of Uzbekistan on its basis the laws made are carried out by the agencies authorized (Article 7). State is the authority a function provided for by the Constitution in the interests of the citizen in implementation, as noted above, this task is authorized by law it is carried out through the offices. It can be said that when protecting the rights of citizens implementation of constitutional duties imposed on the responsibility of state bodies one of the most important ways to increase participation in court in defense of the rights of other persons the cause.

That is why the state that protects the rights of other persons the celebration of democracy or the participation of Bashkir bodies in civil proceedings we can evaluate as an important appearance. In this sense, the rights of other personalization civil of protective public administration bodies, organizations and some citizens the importance of participation in the proceedings is incomparable. By participating in the courts, the state the governing bodies and other organizations are practically





responsible for the implementation of laws, that is, the implementation of laws they serve to ensure their priority. Other personalization rights advocate participation in the civil process of Public Administration oigansinig is important again the important boMgan side is that these bodies, through their participation, work legal, reasonable and fair settlement of the case by imparting its conclusions in the issuance of their decisions, they support the judiciary. Participants in the civil process and other persons involved in the civil cases being tried by the court may be fined. The main goal of imposing judicial fines is in court ensuring that civil cases are heard on time and properly, as prescribed by the court proceedings the procedure for maintaining order and taking part in the work it consists in ensuring the execution of the angle.

A civil cases lawyer resolves disputes between the two parties. Court cases the laws on them are regulatory acts that protect the interests of society and the people. If if you are dealing with legal issues and make a statement of claim to the court if you are thinking, you should contact the Civil Affairs lawyer Service, because they are legal through court sessions that deal with public or private legal matters are consultants. In the case of the plaintiff, lawyers often have enough evidence to file a lawsuit an initial job request is made to assess availability. In the case of the accused what evidence to defend his client against a future or current claim determines availability. Trial lawyers frequently refer to the court in pre-trial settlement interviews to resolve the situation before applying participate. Discovery stage of the trial all relevant information of the parties requires an exchange. To obtain this information, lawyers have made a number of discoveries they use their methods. Interrogation is one of the methods. They are the other side of the movement there is a sequence of written questions to answer, which are written and false punished for testifying. This can include statements, which are often in the office verbally asked by the opposing lawyer and again answered under oath includes a request. Request documents in the hands of the opposite side, as well as, requests for admission-from the opposite side, writing parts of the work and swearing or asking for rejection is a popular means of discovery. Physical evidence, which can also be collected, processed and analyzed along with the information obtained through electronic discovery, the lawyers of the court proceedings can also be checked by. However, most often they provide these services to rely on specialists. Experts submit written reports, from which in court can be used or they can be called to testify.

Court case lawyers also advise the other party within a certain period of time with such a discovery as proposals to force response to discovery requests if not done develops and protects related actions. These discovery procedures collect important materials for defendants, identify problems and work strategies helps in development.





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