



THE CONCEPT OF SUSPENDING AND TERMINATING PROCEEDINGS IN CIVIL PROCEEDINGS, AS WELL AS THE CONSEQUENCES OF SUSPENDING PROCEEDINGS.

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| Article history: | Abstract: |
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| <p>Received: 20th May 2025 Accepted: 14th June 2025</p> | <p>This article explores the theoretical and legal foundations of suspending and terminating proceedings in civil litigation, as well as the circumstances under which they are applied and their legal consequences. According to civil procedural legislation, proceedings may be suspended either mandatorily or at the discretion of the court. In such cases, the court is not permitted to undertake any procedural actions except those aimed at securing evidence or claims. Termination of proceedings, on the other hand, marks the final conclusion of court consideration, after which refileing the same claim between the same parties is not allowed. The article analyzes the relevant provisions of the Civil Procedure Code of the Republic of Uzbekistan and includes a comparative overview of practices in foreign jurisdictions</p> |
| <p>Keywords: Suspension of proceedings, termination of proceedings, procedural actions, legal consequences, court decision, stages of civil proceedings, statement of claim, legal entity, Civil Procedure Code.</p> | |

During the years of independence, particularly in accordance with the Action and Development Strategies, effective efforts have been made to establish and develop ties with compatriots abroad. In this regard, systematic measures are being implemented based on the Concept of State Policy of the Republic of Uzbekistan.

In particular, the establishment, at the initiative of the President of the Republic of Uzbekistan, of the Committee on Interethnic Relations and Friendly Ties with Foreign Countries under the Cabinet of Ministers of the Republic of Uzbekistan, as well as the creation of the legal basis for its activities, and the establishment of continuous and mutually beneficial relations with our compatriots abroad based on active "people's diplomacy" in our republic, along with the effective coordination of related activities, marked the beginning of a completely new stage.

Most legal scholars who have commented on the stages of the civil process recognize the initiation of civil cases as the initial and independent stage of the civil process. Civil procedural legislation establishes a number of conditions and requirements at the stage of initiating proceedings in court. These requirements will play a crucial role in the full implementation of the tasks of civil court proceedings.

Since civil cases are not initiated in the manner prescribed by law, the court is deprived of the opportunity to correctly and timely consider and resolve civil cases in order to protect the personal, political, economic, and social rights, freedoms, and legitimate interests of citizens, the rights and interests of the

Republic of Uzbekistan, as well as the rights and legally protected interests of enterprises, institutions, organizations, public associations, and self-governing bodies of citizens; to promote the strengthening of legality and law and order, ensuring democracy, social justice, peace, and national harmony among citizens, and to foster a respectful attitude towards the law and the court (Article 2 of the Civil Procedure Code of Republic of Uzbekistan).

One of the main conditions for initiating legal proceedings in court is the correct determination of the circle of persons applying to the court.

Article 4 of the Civil Procedure Code of Republic of Uzbekistan lists the following as forms of applying to the court:

- 1) in the form of a statement of claim - in disputes arising from civil legal relations;
- 2) in orderly proceedings, in cases of special proceedings, as well as in other cases stipulated by the Civil Procedure Code - in the form of an application;
- 3) when appealing to the appellate, cassation, and supervisory court - in the form of a complaint (protest).

Article 189 of the Civil Procedure Code of Republic of Uzbekistan reflects the content of the application, according to which:

- 1) the name of the court to which the application is submitted;
- 2) the plaintiff's surname, first name, patronymic, place of residence, if the plaintiff is an organization, its name, location (postal address) and details, as well as the surname, first name, patronymic and address of the



representative, if the application is submitted by the representative;

3) last name, first name, patronymic, place of residence of the responsible person, if the responsible organization is its name, location (mailing address) and details;

4) Claim of the plaintiff;

5) the price of the claim, if the claim is to be assessed;

6) the circumstances on which the plaintiff bases his claim and the evidence confirming the circumstances set forth by the plaintiff;

7) information on compliance with the pre-trial dispute resolution regime with the defendant, if this is provided for by law or contract;

8) the list of documents attached to the application must be stated.

The court is obliged to suspend proceedings in the following cases:

1) in the event of the death of a citizen who was a party to the case, if a disputed legal relationship leads to legal succession, or in the case of the reorganization of a legal entity that was a party to the case;

2) when a citizen (party) loses legal capacity;

3) the defendant - when the citizen is in the active force of the Armed Forces of the Republic of Uzbekistan, or the plaintiff - when the citizen in the active force of the Armed Forces of the Republic of Uzbekistan requests a corresponding petition;

4) if it is impossible to consider this case before a decision is made on another case or issue under consideration by the Constitutional Court of the Republic of Uzbekistan, the civil court, the criminal court, the administrative court, or the economic court, as well as on the case under investigation.

5) when a party submits a petition to the competent authority of a foreign state to cancel or suspend the execution of a decision of a foreign court or a foreign arbitral tribunal (arbitration);

6) when concluding an agreement on the implementation of the mediation procedure.

The court has the right, at the request of the persons participating in the case, or on its own initiative, to suspend proceedings in the following cases:

1) when a party is undergoing compulsory military service as part of the Armed Forces of the Republic of Uzbekistan or when these persons are engaged to fulfill any state obligation;

2) when a party is in a medical institution, and at the same time, if one of the parties has an illness that prevents them from appearing in court, confirmed by the conclusion of a medical institution;

3) during the search for the defendant in the cases provided for in Article 165 of the Civil Procedure Code;

4) when a party is on a business trip for a period exceeding the period of consideration of the case, except in cases of participation in the case as representatives of the organization;

5) appointment of an expert examination by the court;

6) When a judicial review is sent by the court in accordance with Articles 103 and 363 of the Civil Procedure Code.

When proceedings in a case are suspended, the running of the periods established by the Civil Procedure Code or appointed by the court is suspended.

Until proceedings are restored, the court is not entitled to perform any procedural actions, except for actions aimed at securing the claim and evidence.

The court shall terminate proceedings in the following cases:

1) the case is not subject to the jurisdiction of a civil court, an economic court, or an administrative court;

2) there is a legally binding decision of a civil court, economic court, administrative court, or foreign arbitration court on a dispute between the same parties, concerning the same subject matter, and on the same grounds, or a ruling on the acceptance of the plaintiff's withdrawal of the stated claims, or on the approval of a settlement agreement between the parties;

3) the plaintiff has renounced the stated claims, and the court has accepted this renunciation.

4) if the parties have concluded a settlement agreement and it has been approved by the court;

5) if the arbitral tribunal has a final decision on a dispute between the same parties, concerning the same subject matter, and on the same grounds, except in cases where the court has refused to grant a writ of execution for the compulsory execution of the arbitral tribunal's final decision.

6) If, after the death of a citizen who was one of the parties to the case, the disputed legal relationship does not allow for legal succession;

7) the organization participating in the case has been liquidated.

Proceedings are terminated by a court decision. If the proceedings are terminated due to the fact that the case is not within the jurisdiction of the court and the resolution of the dispute falls within the competence of another state body, the court is obliged to indicate to which body the applicant should apply.

In the event of termination of proceedings, a second appeal to the court regarding a dispute between the same parties, concerning the same subject matter, and on the same grounds is not permitted.

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