

**CASES IN CIVIL COURTS OF THE REPUBLIC OF UZBEKISTAN ON
APPLICATIONS FOR THE CANCELLATION OF ARBITRATION
DECISIONS OF ARBITRATION COURTS AND THE ISSUANCE OF AN
EXECUTIVE SHEET FOR ITS MANDATORY EXECUTION**

Akramov Alisher Akbar o'g'li

Master Student of the Tashkent State University of Law Tashkent, Uzbekistan

alisherjonakramov@gmail.com

ABSTRACT

This article analyzes the work on applications for the cancellation of arbitration decisions in civil courts of the Republic of Uzbekistan and the issuance of an executive sheet for its mandatory execution through the norms in the existing legislative documents of the Republic of Uzbekistan and the information mentioned in the scientific literature, describes in our country what methods and means these works are regulated. Also, the views of a number of legal scholars are covered, and some of the problems that exist in this system are mentioned in our country.

**O'ZBEKISTON RESPUBLIKASI FUQAROLIK SUDLARIDA HAKAMLIK
SUDLARINING HAL QILUV QARORLARINI BEKOR QILISH HAMDA UNI
MAJBURIY IJRO ETISH UCHUN IJRO VARAQASI BERISH TO'G'RISIDAGI
ARIZALAR BO'YICHA ISHLAR**

ANNOTATSIYA

Ushbu maqolada O'zbekiston Respublikasi Fuqarolik sudlarida Hakamlik sudlarining hal qiluv qarorlarini bekor qilish hamda uni majburiy ijro etish uchun ijro varaqasi berish to'g'risidagi arizalar bo'yicha ishlar haqida O'zbekiston Respublikasida mavjud qonunchilik hujjatlaridagi normalar va ilmiy adabiyotlarda keltirib o'tilgan ma'lumotlar orqali tahlil qilingan bo'lib, mamlakatimizda mazkur ishlar qanday usul va vositalar bilan tartibga solingani bayon etilgan. Shuningdek, bir qator huquqshunos olimlarning qarashlari yoritilgan holda, yurtimizda ushbu tizimda mavjud ayrim muammolar xususida so'z yuritilgan.

**ДЕЛА В ГРАЖДАНСКИХ СУДАХ РЕСПУБЛИКИ УЗБЕКИСТАН ПО
ЗАЯВЛЕНИЯМ ОБ ОТМЕНЕ РЕШЕНИЙ АРБИТРАЖНЫХ СУДОВ И ВЫДАЧЕ
ИСПОЛНИТЕЛЬНОГО ЛИСТА НА ЕГО ПРИНУДИТЕЛЬНОЕ ИСПОЛНЕНИЕ**

АННОТАЦИЯ

В данной статье анализируются нормы действующих в Республике Узбекистан законодательных актов о делах в гражданских судах Республики



Узбекистан по заявлениям об отмене решений арбитражных судов и выдаче исполнительных листов для их принудительного исполнения, а также приведенные в научной литературе сведения о методах и средствах регулирования этих дел в нашей стране. Освещая также взгляды ряда ученых-юристов, были затронуты некоторые проблемы, существующие в этой системе в нашей стране.

Kalit so‘zlar: Fuqarolik sudlari, Hakamlilik sudlari, ijro varaqasi, hal qiluv qarori, majburiy ijro etish, xususiy shikoyat.

Keywords: Civil courts, Arbitration courts, executive sheet, decision of settlement, compulsory execution, private appeal.

Ключевые слова: Гражданские суды, арбитражные суды, исполнительный лист, урегулирование, принудительное исполнение, частная жалоба.

INTRODUCTION

For the first time in our country, economic disputes between business entities are considered by commercial courts as well as by arbitration courts. on" was defined in the Decree. Later, the Law of the Republic of Uzbekistan "On Arbitration Courts", which regulates relations in the sphere of the organization and operation of arbitration courts, was adopted by the Legislative Chamber of the Oliy Majlis, approved by the Senate and entered into force in 2007.

DISCUSSION

In connection with the adoption of the Law of the Republic of Uzbekistan "On Arbitration Courts" and the Law "On Amendments and Additions to Certain Legislative Documents of the Republic of Uzbekistan", the decision of the Arbitration Court of the Civil Procedure Code of the Republic of Uzbekistan Supplementing with norms on the procedure for conducting cases related to the decision and cases on issuing a writ of execution for the compulsory execution of the decision of the arbitration court further expands the sphere of protection of personal interests through the court, and the arbitration court plays an important role in increasing the efficiency of execution of decisions. In particular, in accordance with Article 3 of this Law, the Civil Procedure Code of the Republic of Uzbekistan consists of three chapters and thirteen articles, with subsection 4 entitled



"Proceedings related to the decision of the Arbitration Court" has been filled. Cases on applications for annulment of decisions of arbitration courts and cases on applications for issuing writs of execution for compulsory execution of decisions of arbitration courts are specified in Chapters 38-40 of the Federal Criminal Code. together with exceptions and additions, it was established that it will be considered according to the general rules of conducting civil court proceedings. Also, in this chapter, the norms regarding the procedure for hearing cases related to the decision of the arbitration court, considered by the court on civil cases, were strengthened. In particular, in this chapter, the execution of the decision of the court on civil cases on the cancellation of the decision of the arbitration court or on the refusal to cancel the decision of the arbitration court, as well as for the compulsory execution of the decision of the arbitration court The strengthening of the rule that a private complaint or a private protest can be filed against the decision to issue a writ of execution or to refuse to issue a writ of execution for the compulsory execution of an arbitration court's decision protects the rights of individuals. 'in addition, it is important to guarantee. Chapter 39 of sub-section 4 entitled "Conducting cases related to the decision of the arbitration court" is called "Conducting cases on disputes related to the decision of the arbitration court" and it contains the decision of the arbitration court form and content of the application for annulment of the decision of the arbitration court, the procedure for considering this application, grounds for annulment of the decision of the arbitration court and annulment of the decision of the arbitration court of the court on civil cases the rules on issuing a decision on the case have been expressed. At this point, it is worth noting that the rules on disputes over the decisions of arbitration courts and the cancellation of their decisions are provided for in the legislation of many countries, as well as in international legal documents. However, the provisions of the arbitration court's decision, established in the legislation of our country, have advantages over similar provisions in the legislation of some other countries. For example, according to the Law of the Russian Federation "On Arbitration Courts" (Article 40), if an agreement was reached in the arbitration agreement that the decision of the arbitration court is firm and unchangeable, then the arbitration court issued it is established that it is not possible to appeal the decision. According to the Law of the Republic of Uzbekistan "On Arbitration Courts" (Article 46) and Article 349 of the Criminal Procedure Code introduced accordingly, the party to the arbitration proceedings shall submit to the competent court within thirty days from the date of receipt of the decision of the arbitration court By submitting an application for the annulment of this decision, it



is determined that the arbitration court may dispute the decision, which, in turn, prevents violations of the law that may be allowed by the arbitration courts. , will put an end to the conclusion of agreements by the heads of business entities that are against the interests of the enterprise, will create additional opportunities for the restoration of violated rights and legal interests by competent courts. An application to annul the decision of the arbitration court is submitted to the court (courts on economic and civil cases) where the decision of the arbitration court was adopted, and it is determined that the appropriate state duty will be collected from these applications. As a result, in Article 328 of the Tax Code of the Republic of Uzbekistan, it was established that a state fee is levied on applications to cancel the decisions of the arbitration court, and on applications to issue a writ of execution for the compulsory execution of the decisions of the arbitration court. Similar additions were made to Article 128 of the Federal Criminal Code entitled "State duty". In addition, in accordance with the decision of the Cabinet of Ministers of the Republic of Uzbekistan dated October 30, 2008 No. 235 "On approval of the regulation on the procedure for keeping records of arbitration courts", additions were made to some decisions of the Government of the Republic of Uzbekistan, and According to the decision of the Cabinet of Ministers No. 533 dated November 3, 1994, it is possible to apply for the issuance of a writ of execution for the mandatory execution of the decisions of the arbitration court in paragraph 1 of the State duty rates, as well as the cancellation of the decisions of the arbitration court. It was established that a state duty will be levied in the amount of 2 times the amount of the basic calculation.



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