

7 Summary

Action and judgment (mutual relation)

I have chosen this topic for my Master's degree thesis, because I am interested in civil law, especially in a civil litigation.

In my thesis I tried to explain institutes of both law action and judgment and of course the mutual relation between them.

Civil procedure is a procedure carried out by state courts as judicial bodies of power. Civil process takes place before the courts, which decide disputes and other legal matters arising from civil, labor, family and business relationships.

People are requesting the protection of their endangered or broken rights by bringing an action. Person who brings an action we call the suitor and person against whom the dispute is called defendant. Both these parties are given the same procedural rights and obligations, therefore, in the proceeding they are equal. Finally, the dispute is decided by a court from a position of an independent third party.

Judgment is a form of judicial decision, which terminates the proceedings and resolve the dispute. Only the court is entitled to make judgments and decide authoritatively on the rights and obligations between the suitor and defendant. Court makes an response to suitors request for protection of his rights. Court is bound by action, and may depart from it only in specific circumstances defined by law.

Action initiates proceeding by which the court assesses circumstances of the case which then concludes, that will be reflected in the fact that the judgment action suit, action reject or suit in part and reject part.

Klíčová slova / keywords

žaloba / action

rozsudek / judgment

vztah / relation