

Узгодження практики застосування норми права

Застосування позовної давності у справах про банкрутство за заявою третіх осіб (учасників справи про банкрутство), які не є сторонами майнового спору чи цивільно-правового договору, на підставі якого виник спір, що підлягає розгляду господарським судом, у провадженні якого перебуває справа про банкрутство, та які мають свої власні інтереси у цій справі

• Позиція судової палати:

Прийняте судове рішення (ухвала) в межах процедури розпорядження майном про визнання (відмову у визнанні) вимог будь-якого кредитора з включенням (чи відмовою у включенні) таких вимог до реєстру вимог кредиторів може переглядатися тільки в порядку, визначеному абзацом сьомим частини другої статті 25 Закону про банкрутство, а грошові вимоги кредитора, який звертався у процедурі розпорядження майном та які були предметом судового розгляду, не можуть повторно з тих самих підстав переглядатися під час ліквідаційної процедури.

Повторний розгляд кредиторських вимог у ліквідаційній процедурі, які вже були розглянуті та відхилені місцевим господарським судом у процедурі розпорядження майном за аналогічних підстав, якими є неналежне виконання боржником взятих на себе зобов'язань за кредитними договорами № 11127822000 та № 11127753002 від 14.03.2007, укладеними з Акціонерним комерційним інноваційним банком "УкрСиббанк", є порушенням порядку перегляду судового рішення у вигляді ухвали попереднього засідання, визначеного абзацом сьомим частини другої статті 25 Закону про банкрутство.

- **постанова від 12.02.2019 у справі № 917/950/14** (<http://reyestr.court.gov.ua/Review/80685153>)

Gospodarske Sudochinstvo V Ukraini Sudova Praktika Zastosuvannia Zakonodavstva Pro Bankrutstvo

Katrin Zwirglmaier



Gospodarske Sudochinstvo V Ukraini Sudova Praktika Zastosuvannia Zakonodavstva Pro Bankrutstvo:

Gospodarske Sudochinstvo V Ukraini Sudova Praktika Zastosuvannia Zakonodavstva Pro Bankrutstvo Book

Review: Unveiling the Power of Words

In a world driven by information and connectivity, the energy of words has been much more evident than ever. They have the capability to inspire, provoke, and ignite change. Such is the essence of the book **Gospodarske Sudochinstvo V Ukraini Sudova Praktika Zastosuvannia Zakonodavstva Pro Bankrutstvo**, a literary masterpiece that delves deep to the significance of words and their impact on our lives. Compiled by a renowned author, this captivating work takes readers on a transformative journey, unraveling the secrets and potential behind every word. In this review, we will explore the book's key themes, examine its writing style, and analyze its overall effect on readers.

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