

Particulars of the Probation in Civil Cases for the Examination of Disputes in the Field of Transport

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Abstract

Consideration of general jurisdiction of civil cases in disputes arising in the field of transport legal relations is carried out in accordance with the general rules provided for by the norms of the Code of Civil Procedure of the Republic of Moldova (hereinafter CPC RM). Certainly, this category of cases are distinguished by a number of distinctive features. One of them is a regulation of judicial proof not only by the rules of the CPC RM, but also by a branch legislation in the field of transport legal relations. In this regard, the current study analyses the civil procedural rules and presumptions provided by the transport legislation, as applied to the parties proving the stated requirements or objections. It addresses the issue of the assessment of the circle of evidence available in the process of examination of transport disputes by the courts. The analysis of the theoretical approaches of the civil procedural law, of the transport law, as well as of the relevant legislation and the practice of its application, allowed to determine the possibilities of improving the legislation to ensure contradictory procedures and procedural equality of the parties in the examination of civil cases. in the field of transport.

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