



## PROSECUTOR'S APPLICATION AND THE REQUIREMENTS FOR ITS CONTENT

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**Abstract.** *This article is devoted to the analysis of the use of prosecutor's applications in the supervision of law enforcement, as well as the requirements for the form and content of such applications. The author concludes that the inclusion of demands in the prosecutor's application for the restoration of violated rights or interests, based on relevant laws and specific articles, plays a significant role in ensuring the lawful resolution of the dispute.*

**Key words:** *prosecutorial supervision over the execution of laws, prosecutor, acts of prosecutorial supervision, prosecutor's application.*


**Аннотация.** *Мазкур мақола қонунлар ижроси устидан назорат амалиётида прокурор аризаси қўллаш, унинг шакли ва мазмунига қўйилган талаблар таҳлилига бағишланган. Мақолада муаллиф прокурор аризасида бузилган ҳуқуқ ёки манфаатни тиклаш юзасидан талаблар тўғри ҳамда тегишли қонунларнинг аниқ моддаларига асосланган ҳолда қўйилиши низонинг қонуний ҳал этилишида муҳим аҳамият касб этади, деган хулосага келади.*

**Калит сўзлар:** *қонунлар ижроси юзасидан прокурор назорати, прокурор, прокурор назорати ҳужжатлари, прокурор аризаси.*

**Аннотация.** *Данная статья посвящена анализу применения прокурорского заявления в практике контроля за исполнением законов, а также требованиям, предъявляемым к его форме и содержанию. В статье автор приходит к выводу, что правильное и обоснованное предъявление требований о восстановлении нарушенных прав или интересов на основе конкретных статей соответствующих законов имеет важное значение для законного разрешения спора.*

**Ключевые слова:** *прокурорский надзор за исполнением законов, прокурор, акты прокурорского надзора, заявление прокурора.*

According to Article 41 of the Law on the Prosecutor's Office, a prosecutor has the right to apply to the court on behalf of citizens, legal entities, and the state to protect their rights and legal interests. As noted by O.Smirnova, the prosecutor's right to apply to the court in a timely and lawful manner is an effective tool for preventing and eliminating violations of citizens' legally protected rights, freedoms, and legal interests, as well as the interests of society and the state. The right of the prosecutor to apply to the court is of significant importance today, especially given the insufficient legal literacy of the population and the unequal access to qualified legal assistance[1].



It is also worth noting that the prosecutor's application is considered by the court in accordance with the procedures prescribed by law. Specifically, the prosecutor's application, its content requirements, the examination of the application by the courts, the prosecutor's participation and authority in the proceedings, and other related issues are regulated by procedural legislation.


In particular, according to Article 50 of the Civil Procedural Code of the Republic of Uzbekistan, a prosecutor can participate in cases related to land rights, state property, state compensation for damages, and claims brought based on the prosecutor's application in the protection of state interests. A prosecutor may apply to the court to protect state interests. If a citizen is unable to personally defend their rights, freedoms, and legal interests in court due to health conditions, age, or other reasons, the prosecutor has the right to apply to the court to protect the violated rights, freedoms, and legal interests of the citizen.

It is important to emphasize that the content requirements for the application submitted to the court are defined by the Civil, Economic Procedural, and Administrative Procedural Codes.

In particular, Article 189 of the Civil Procedural Code of the Republic of Uzbekistan outlines the requirements for the content of the prosecutor's claim in disputes arising from civil relations. The application should include: 1) the name of the court to which the application is submitted; 2) the name, surname, patronymic, residence address, and legal entity details (postal address, requisites), and if submitted by a representative, the representative's details; 3) the name, surname, patronymic, and address of the respondent; 4) the claimant's demands; 5) if the claim involves a valuation, the estimated value; 6) the circumstances supporting the claim and the evidence presented by the claimant; 7) information on whether the dispute was settled before court, and 8) a list of attached documents[2]. If the application is submitted by a public authority or other persons for the protection of others' rights, it should also specify the name and address of the person whose interests are being protected.

Additionally, according to Article 148 of the Economic Procedural Code of the Republic of Uzbekistan, the court shall initiate proceedings based on the prosecutor's application. Article 149 of the Code specifies the following requirements for the content of a claim in economic disputes: 1) the name of the court to which the claim is submitted; 2) the names and addresses of the participants in the case; 3) the estimated value of the claim; 4) the grounds for the claim; 5) evidence supporting the claim; 6) the calculation of the amounts in dispute; 7) the claimant's legal basis for the claim; 8) a list of attached documents[3].

Furthermore, the form and content of the prosecutor's application to the administrative courts are outlined in Article 128 of the Administrative Procedural Code of the Republic of Uzbekistan. According to this article, the application must include: 1) the name of the court to which the application is submitted; 2) the names and addresses of the participants in the case; 3) the grounds for the claims; 4) evidence supporting the claims; 5) the claimant's



legal grounds for the claim, and if the claim is made against multiple respondents, the demands for each one; 6) a list of attached documents[4].

In all cases, the prosecutor's application must be signed by the prosecutor or their deputy.

The review of scientific literature (V.Dimolazov[5], O.Smirnova[6], N.Mikhlina[7]) indicates that the prosecutor's application remains the most effective and real means of restoring violated rights today. It is considered the last and exceptional measure of legal protection when other prosecutor's supervisory measures do not lead to sufficient practical results.

We conclude that, when it becomes impossible to resolve violations through other supervisory documents, the prosecutor's application serves as an effective and logical tool for eliminating legal violations and restoring the rights of legal and physical persons. Most importantly, the requirements in the application for the restoration of violated rights or interests should be based on the relevant laws, which plays a crucial role in ensuring the legal resolution of the dispute.

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