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## **ON THE ISSUE OF INVALIDITY OF JUDGMENTS IN THE CIVIL PROCEDURE OF UKRAINE**

The article reveals the essence of the notion of validity of judgments in civil proceedings Ukraine. Determined its components, which are: a fully clarify the circumstances relevant to the case, a proof of the circumstances relevant to the case and the court's findings match the circumstances of the case.

Has been identified types of invalidity of judgments as the basis for their abolition on appeal. Describes each species separately, the analysis of ratio and differences between these types of groundlessness of judgments as incomplete clarification of the circumstances relevant to the case and the failure to prove the circumstances relevant to the case. Using examples the author demonstrates independence of such type grounds for cancellation of judgments as discrepancy court's findings circumstances of the case.

A clear understanding of the differences between the studied notions is essential not only theoretical but also practical importance given that, as an appellate court should act in case of such violations: change the decision of the trial court or to cancel it and make a new one.

The author proposes to correct to claim 1 Part 1 of Art. 309 of the CPC of Ukraine and shell it as follows: «Incomplete investigation of the circumstances relevant to the case», because specified error may occur not only due to the fault of the court. Of course, the subject of proof in case was formed by a judge, but he does so on the basis of evidence provided by the parties. By filing a claim and objection to this claim it is the parties begin to form the subject of evidence in the case.

