

TIME LIMITS UNDER THE CODE OF CIVIL PROCEDURE

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Introduction

Turkish judiciary system consists of four main divisions: Constitutional, administrative, jurisdictional disputes and general judiciary. General judiciary is also comprised of two distinct branches; namely civil and criminal. The proceedings within the different judicial divisions and branches are subject to procedures that differ in accordance with the nature of each division or branch.

Civil proceedings, in particular, are subject to two distinct procedural sets of rules: written procedure and simple procedure. Civil disputes are, in principle, subject to the written procedure. However, simple trial procedure, which is more streamlined and expeditious, is also applied to some disputes depending on their nature. A major distinction between said procedure types manifest in time limits that the court and the parties are subject to.

This article (“**Article**”) analyses the notion of time limits in civil proceedings, their categories, calculation methods, the consequences of breach of such time limits, and displays the time limits governing written and simple procedures. In the attached table of the Article (“**Annex-1**”), mandatory time limits parties are subject to in each civil procedure type will also be presented.

Overview of the Concept of Time Limits

It is possible to classify the time limits in judicial proceedings into two categories: substantive law time limits and procedural law time limits. Substantive law time limits, such as prescription periods, primarily concern the creation and termination of rights. They relate to the existence, non-existence, and scope of the relationships between the parties.¹

Time limits aim to ensure that the judicial process is conducted in a certain order and predictability. Turkish Code of Civil Procedure No. 6100 (“**CCP**”) provides that the litigation process shall be conducted in accordance with the foreseen time limits in order to ensure that the dispute is settled in a quick and orderly manner and in

¹ Bkz. Pekcanitez, Hakan, Medenî Usul Hukuku, Volume 2, 15th Edition, Onikilevha Yayınları, İstanbul, 2017, p. 1307.

compliance with the parties' right to be heard.² Furthermore, time limits serve to restrict the judge presiding over the case in terms of carrying out certain acts and procedures, thereby preventing arbitrariness and ensuring the preservation of confidence in the court.³

Time limits may be categorized in several different ways. In this section, the categorization of time limits, the consequences of failure to comply with them and the principles regarding the calculation of time limits will be analysed.

a. Categorization of Time Limits

Time limits in civil judiciary may be examined and categorized under two criteria: “statutory time limits - time limits set by the judge” and “mandatory time limits - non-mandatory time limits”:

- **Statutory Time Limits - Time Limits Set by the Judge**

The limits stipulated directly in the CCP or in other laws related to the dispute are referred to as the statutory time limits. These limits may address the parties⁴ or the judge hearing the case⁵. As a general rule, judges cannot extend the statutory time limits on their own discretion except for the cases where such extensions are allowed by the law. These time limits include request for extension of time for statement of defence (CCP Art. 127) and request for extension of time for objection to the expert report (CCP Art. 281).

Time limits for which the law provides that they shall be determined by the judge are referred to as time limits set by the judge. Time limit for late submission of power of attorney (CCP Art. 77), time limit for depositing a guarantee (CCP Art. 88), and time limit for depositing advance payment for evidence collection (CCP Art. 324) may be provided as examples to such time limits. In such cases, the law allows for the time limit to vary depending on the parties' circumstances and the specific facts of the case; and therefore, stipulates that the time limit should be determined by the judge.⁶

- **Mandatory Time Limits - Non-Mandatory Time Limits**

The statutory time limits that address the parties are mandatory and related to the public order. Pursuant to Article 94 of the CCP, a party who fails to perform a procedural transaction within the stipulated mandatory time limit loses the right to perform the transaction. In contrast, time limits stipulated for the judge are not of a mandatory nature.⁷ Therefore, the judge may (and should) still perform the relevant transaction even after the expiry of the prescribed time

² This is also directly related to the fulfilment of the principle of judicial economy regulated in Article 141 of the Turkish Constitution.

³ See Pekcanitez, Hakan, *Medenî Usul Hukuku*, Volume 1, 15th Edition, Onikilevha Yayınları, İstanbul, 2017, p. 453.

⁴ See CCP Art. 20 (*requesting the file to be sent to the court with the proper jurisdiction*), CCP Art. 126 (*statement of defence*), CCP Art. 345 (*time limit for appeal*), etc.

⁵ See CCP Art. 294, Art. 321 (*time for writing the reasoned judgement*); CCP Art. 320 (*determination of hearing dates*) etc.

⁶ See Pekcanitez, Hakan, *Medenî Usul Hukuku*, Volume 1, 15th Edition, Onikilevha Yayınları, İstanbul, 2017, p. 458.

⁷ See Tanrıver, Süha, *Medenî Usûl Hukuku*, Volume 1, 4th Edition, Yetkin Yayınları, Ankara, 2021, p. 477.

limit, and it will remain valid and effective. This ensures that the parties do not suffer any loss of rights due to the judge's negligence.

In principle, time limits set by the judge are not mandatory unless the judge decides, at their own discretion, otherwise. In order for a time limit set by the judge to be considered mandatory, the judge must: (i) expressly state that the time limit is mandatory, (ii) describe the transaction to be performed within the mandatory time limit in a manner that leaves no room for doubt, and (iii) clearly record in the minutes a warning regarding the legal consequences of failing to comply with the time limit.⁸ Furthermore, in certain cases, the law itself expressly determines that time limits determined by the judge to be mandatory (such as time limit to be granted for the elimination of procedural prerequisite absences under CCP Art. 115).

b. Consequences of Failure to Comply with Time Limits

The results for failure to comply with time limits differ for mandatory and non-mandatory time limits. Since mandatory time limits are of a prescriptive nature, a transaction that has not been performed within such a period cannot be carried out by the parties at a later date. As a consequence, the issue of whether the mandatory time limits are complied with is examined by the courts *ex officio*.

The CCP also regulates what to do in the event that the judge improperly sets the mandatory time limit or against the letter of law, fails to grant a mandatory time limit all together. In the event that judge fails to meet the criteria for setting a mandatory time limit, the limit will not be considered mandatory.⁹ Therefore, after the expiration of a non-mandatory time limit, parties may request an extension. The extension (second time limit) granted in this manner will be mandatory pursuant to Article 94(2) of the CCP.

Furthermore, if a mandatory statutory time limit is extended by the judge, contrary to the law, parties may rely on the time limit specified in the court decision without suffering any loss of rights. This is due to the notion that, judge's duty to identify the applicable legal provision in the dispute and to correctly inform the parties of the statutory time limits is a matter of public order. Penalizing the parties due to the failure of courts, which are state institutions, to fulfil their public order-related

⁸ See CCP Art. 94(2).

⁹ See Court of Cassation General Assembly of Civil Chambers' judgement with the case number of E. 2017/1917, K. 2019/1332 dated 10 December 2019: "*In the light of these explanations, in the present case, since the mandatory time limit given by the court at the hearing dated 26 March 2013 was not in accordance with the procedure in terms of the form and stage in which it was given, it did not give rise to a mandatory period of time...*"; Court of Cassation 11th Civil Chamber's judgement with the case number of E. 2012/18669, K. 2013/17244 and dated 02 October 2013: "*...although the claimant's attorney has been given a mandatory time limit, since the claimant's attorney has not been reminded that it is mandatory, the given time limit is not a mandatory limit...*"; Court of Cassation 21st Civil Chamber's judgement with the case number of E. 2016/16741, K. 2016/12176 dated 06 October 2016: "*...it is contrary to the procedure and law to decide to dismiss the lawsuit on the grounds of non-compliance with the improper notice of mandatory time limit, while it was necessary to decide according to the result after the notice of mandatory time limit had been given duly...*".

obligations would violate the right to a fair trial and access to the court.¹⁰ Indeed, in its recent decisions, the General Assembly of Civil Chambers of the Court of Cassation has deemed applications for appeal that were made within the erroneously extended time limit notified by the court as admissible, even if they were made after the time limit set in the law.¹¹

The CCP provides a relief to the parties for the lapse of mandatory time limits in bona fide; namely the reinstatement procedure. Reinstatement procedure is carried out pursuant to Article 95 et seq. of the CCP, which enables the parties to carry out procedural transactions that they were unable to perform within the mandatory time limits due to reasons beyond their control, until the final judgement is rendered. In order for the parties to request reinstatement, (i) the time limit must have been missed due to a reason beyond control¹² and (ii) the desired result cannot be achieved by other legal means.¹³

Pursuant to Article 96 of the CCP, the request for reinstatement must be made within two weeks following the reason preventing the timely execution of the transaction ceased. The request for reinstatement should be submitted to the court that would have had jurisdiction to review the failed transaction. Together with the request, the parties must submit a petition stating the grounds for the failure to perform the transaction on time and any evidence supporting said grounds. In cases where time limits for appeal have been missed, the request for reinstatement is submitted to the appellate courts (that is, regional appellate court or the Court of Cassation depending of the stage of the proceedings). In addition, pursuant to Article 97 of the CCP, the procedural transaction subject to the reinstatement request must also be conducted within the reinstatement request period. Therefore, for example, the party who missed the appeal application must also apply for appeal within the reinstatement period.¹⁴ However, performing the relevant transaction simultaneously with the reinstatement request is not necessary. What matters is that

¹⁰ See Turkish Constitutional Court's *Remzi Durmaz* decision, Application No: 2013/1718, dated 02 October 2013: "...it is necessary to accept that the right of access to the court has been violated if persons have not been able to exercise their right to file a lawsuit or to apply for appeal due to the misapplication or miscalculation of the prescribed time limits in clear violation of the law."

¹¹ See Court of Cassation General Assembly of Civil Chambers' judgement with a case number of E. 2024/497, K. 2024/486 dated 02 October 2024: "...while the appeal period should be ten days from the pronouncement of the confirmation decision for the objecting creditors, it was erroneously shown as 'ten days from the service of the decision' in the short decision and 'fifteen days from the service of the decision' in the reasoned decision, ... As the court misled the party in terms of the appeal periods, T.C. Ziraat Bankası A.Ş. attorney's appeal application must be accepted as filed within the time limit and should be examined."; Court of Cassation General Assembly of Civil Chambers' judgement with a case number of E. 2023/245, K. 2023/1061 dated 08 November 2023 "...It cannot be accepted that a procedural vested right has arisen for the party who benefits from the other party not being able to use the right to apply for appeal within the time limits set by the law due to the incorrect indication by the court..."

¹² Generally speaking, situations that would constitute force majeure such as illness, natural disasters and that do not involve any fault of the parties are accepted as reasons beyond control.

¹³ For example, see CCP Art. 243 (*hearing of a witness who is present at the hearing, even if he/she is not included in the witness list*); CCP Art. 348 (*appeal by intervention of the party who has missed appeal period*); Court of Cassation 23rd Civil Chamber's judgement with a case number of E. 2015/260, K. 2015/2844 dated 22 April 2015: "...It is possible to appeal the final judgements and the appeal period has not yet expired as of the date of the reinstatement request. Since it is possible to reach the result desired by appealing the final decision, a request for reinstatement cannot be made..."

¹⁴ See Arslan, R. / Yılmaz, E. / Taşpınar Ayvaz, S. / Hanağası, E., *Medeni Usul Hukuku*, 8th Edition, Yetkin Yayınları, Ankara, 2022, p.194.

the transaction is performed within the reinstatement period.¹⁵ Article 99 of the CCP also stipulates that the request for reinstatement will not cause postponement of the proceedings and prevent the enforcement of the judgement.

c. Calculation of Time Limits

Pursuant to Article 91 of the CCP, time limits shall start from the date of service to the parties or, provided that it is stipulated by law, as of the date of pronouncement of the relevant decision (as in the case of enforcement of the provisional injunction). Time limits specified in days shall be calculated starting from the day following the date of service or pronouncement as stipulated in Article 92 of the CCP.¹⁶ Time limits specified in weeks, months or years shall expire at the end of the work day in the week, month or year corresponding to the day it starts.¹⁷ Regarding electronic transactions carried out in UYAP in pursuant to Article 445 of the CCP however, time limits expire at the end of the calendar day, as opposed to work day.

Time limits may also start and resume on public holidays. However, if the expiry of the time limit coincides with an official holiday, it shall be extended to the end of the next work day following the holiday. There is no such postponement with regards to administrative holidays.¹⁸

An extension is also provided for cases where the expiration of a time limit coincides with the judicial recess that is between 20 July and 1 September each year. In proceedings subject to the judicial recess¹⁹, pursuant to Article 104 of the CCP, the time limits that expire during the judicial recess period shall be extended by one week from the end of the judicial recess. However, should the time limit expire

¹⁵ See Ünlü Usta, Meltem, Medeni Usul Hukukunda Eski Hale Getirme, Master's Thesis, Istanbul University Social Sciences Institute, 2018, p. 115.

¹⁶ See Court of Cassation 21st Civil Chamber's judgement with a case number of E. 2016/6780, K. 2016/7346 dated 26 April 2016: *"In the present case; since the payment order was served to the claimant on 16 April 2015, the 7-day time limit for filing a lawsuit for the cancellation of the payment order starts on 17 April 2015 ..."*.

¹⁷ The CCP also stipulates that in the event that there is no day in the month in which the time limit expires that corresponds to the day on which it commenced, the time limit shall expire on the end of the working hours of this month's last day. Accordingly, assuming that there is no leap year, a mandatory time limit given on 30 January will expire on 28 February, unless it coincides with a holiday.

¹⁸ See Court of Cassation 23rd Civil Chamber's judgement with a case number of E. 2013/8404, K. 2013/7933 dated 11 December 2013 *"...as this date is not an official holiday but an administrative holiday, it is possible for the time limits to run and expire on this date..."*.

¹⁹ The proceedings that are not subject to judicial recess are listed in Article 103 of the CCP: (i) provisional legal protection such as provisional injunction, provisional attachment, and discovery of evidence, requests for maritime reports and the appointment of dispatchers, and objections to these requests; (ii) all kinds of alimony cases and proceedings relating to paternity, custody and guardianship; (iii) actions and proceedings for the correction of civil registry records; (iv) actions brought by employees due to service or employment contracts; (v) requests for the issuance of a certificate of loss due to the loss of commercial books and cancellation proceedings arising from the loss of negotiable instruments; (vi) proceedings and cases related to bankruptcy and concordat and restructuring of companies and cooperatives through reconciliation; (vii) discoveries decided to be held during the judicial recess; (viii) cases and proceedings falling within the jurisdiction of courts according to the rules of arbitration; (ix) *ex-parte* proceedings; (x) cases and proceedings that are specified as urgent in the laws or decided to be heard urgently by the court upon the request of one of the parties.

within the one-week extension period specified in Article 104, no further extension shall be granted.²⁰

Finally, since the services directed to attorneys must be made electronically pursuant to Article 7/A and Article 11 of the Service Law No. 7201, the time limit for the matters pursued by lawyers and for which the date of service is taken into account shall start at the end of the fifth day following the date of receipt of service to the electronic address of the addressee. This is also the case in matters not involving an attorney, should the party is either subject to electronic service provisions or consented to be served in this manner.

Time Limits Applicable to the Written Trial Procedure

As stated above, civil proceedings are mainly governed by the written procedure. In this section of the Article, the statutory time limits and therefore mandatory for the parties in written procedure proceedings will be explained.

a. Time Limits Concerning First Instance Proceedings

The time limits to be applied in the first instance proceedings, as regulated in the CCP and separated according to their subjects, are as follows:

- **Time Limits Concerning Statements**

In actions for an unspecified claim, the claimant is obliged to specify their claim within two weeks after the court decides that the amount or value of the claim can be determined definitively, pursuant to Article 107 of the CCP. Otherwise, it is regulated that the case will be heard on the amount or value specified as in the initial statement of claim.

In addition, pursuant to Article 119 of the CCP, the claimant shall be given a mandatory time limit of one week to complete the certain initially missing elements²¹ on their statement of claim. A similar provision is also applicable for the respondent in terms of deficiencies in the statement of defence.²²

Pursuant to Article 120 of the CCP, if it is determined during the course of the proceedings that the advance on costs deposited at the time of filing the lawsuit is insufficient, the court shall grant the claimant a mandatory time limit of two weeks

²⁰ See Court of Cassation 11th Civil Chamber's judgement with a case number of E. 1979/928, K. 1979/1653 dated 29 March 1979: "... If the end of the appeal period, which has started to run during the judicial recess, coincides with a date between 6 September and 12 September, then there is no legal possibility for the time limit to be considered extended by 7 days..."

²¹ Pursuant to CCP Art. 119, these elements are stated as follows: (i) the names, surnames and addresses of the claimant and the respondent; (ii) the Turkish Republic identification number of the claimant; (iii) the names, surnames and addresses of the legal representatives of the parties and the claimant's attorney, if any; (iv) the result of the claim in a clear manner; and (v) the signature of the claimant, legal representative or attorney, if any.

²² Pursuant to CCP Art. 130, these elements are stated as follows: (i) the name of the court; (ii) the names, surnames and addresses of the claimant and the respondent; if the respondent is abroad, an address to be indicated by the respondent in Turkey to be used as a basis for the proceedings related to the lawsuit; (iii) the respondent's Turkish Republic identification number; (iv) the names, surnames and addresses of the legal representatives of the parties and the claimant's attorney, if any; (v) the signature of the respondent or the legal representative or attorney, if any.

to pay the outstanding balance. In the event that the missing amount is not paid, the lawsuit shall be dismissed due to the absence of procedural prerequisite.²³

The time for the respondent to submit their statement of defence is regulated under Article 127 of the CCP. Accordingly, the time limit for filing the statement of defence is two weeks following the service of the statement of claim to the respondent. As stipulated in the same article, in cases where it is very difficult or impossible to prepare the statement of defence within this period, the respondent may be granted a one-time time limit extension for a maximum of one month. The respondent is required to submit their request for extension of time limit for statement of defence within the ordinary two-week time limit. It is also regulated in the CCP that the additional period to be granted by the court shall start at the end of the initial two-week period.

In addition, pursuant to Article 136 of the CCP, two-week time limits are provided for the parties to submit their statements of reply and rejoinder to the court. These periods will start following the service of the statement of defence for the statement of reply and the service of the statement of reply for the statement of rejoinder.

Article 139 of the CCP stipulates that the invitation to the preliminary examination hearing to be sent to the parties shall also include a mandatory time limit of two weeks for the parties to submit the documents they have mentioned in their statements, but have not yet submitted to the court. This period shall commence from the date the invitation is duly served to the parties.

- **Time Limits Concerning the Court and the Judge**

In the event that the court decides that it lacks jurisdiction and this decision becomes final; pursuant to Article 20 of the CCP, the parties must apply to that court within two weeks from the date of finalisation and request the case to be sent to the court with jurisdiction. Otherwise, the lawsuit will be deemed as not filed.

Pursuant to Article 36 of the CCP, if grounds for disqualifying the judge exist, the parties are required to raise the request for disqualify at the first hearing following their discovery of such grounds. Furthermore, if the principal judgment is subject to appellate review, the decision regarding the disqualification of the judge rendered by the reviewing authority may also be appealed within two weeks from the date of notification.

- **Time Limits Concerning Evidence**

Pursuant to Article 243 of the CCP, the party relying on witnesses must submit the witness list to the court within the mandatory time limit set by the judge, and in any case at least one week before the hearing where the witnesses will be heard.

In addition, the disqualification requests for the expert appointed to the case must be made within one week at the latest from the date of learning the reason for disqualification, as per Article 272 of the CCP. Similarly, and as regulated under Article 281 of the CCP, the time limit for the parties to object to the expert report submitted to the court is two weeks from the date of service of the report to them.

²³ See Regulation on the Execution of Administrative and Clerical Services of Regional Appellate Courts and Courts of First Instance and Chief Public Prosecutors' Offices, Article 205.

If it is not possible to prepare the objection to the expert report within this period or if it requires technical work, upon request, a one-time only extension for no more than two weeks may be granted by the court.

- **Time Limits Concerning Judgements**

Pursuant to Article 305/A of the CCP, the parties may request, within one month from the service of the final judgement, an additional decision on the issues that the court has failed to decide, despite the issues had been raised by the parties or should have been taken into account *ex officio*.

Again, pursuant to Article 150 of the CCP, if the parties fail to attend the hearing without excuse, or if they attend but declare that they will not pursue the case, the case file will be decommissioned. In such circumstances, any party wishing to request the renewal of the case must submit this request to the court within three months from the date the case was decommissioned.

- **Time Limits Concerning Other Matters**

Pursuant to the provisions of Articles 82 and 83 of the CCP, the duty of the attorney who resigns will continue for two weeks from the service of the resignation to the client. For the party who dismisses their attorney; in the event that they do not pursue the lawsuit that they previously pursued with the attorney or do not appoint another attorney within two weeks, the provisions regarding the absence of the party shall be applied.

In addition, the party exercising their right to amend the case must deposit the amount of security to be assessed by the judge to the court cashier within one week. Pursuant to Article 178 of the CCP, it is regulated that the contrary situation will cause the amendment to be deemed not to have been made. Again, pursuant to Article 180 of the CCP, it is stipulated that if the claimant notifies that they have amended their entire lawsuit, they must file a new petition within one week after this notification. Otherwise, the right of amendment will be deemed to have been exhausted and the amendment will be deemed not to have been made. Therefore, a claimant who fails to submit a new statement of claim despite using their right to amend the case will lose this right completely.²⁴ Article 181 of the CCP stipulates that in case of partial amendment, the amended procedural transaction must also be performed within one week.

Finally, pursuant to Article 393 of the CCP, it is regulated that the parties must request the enforcement of the provisional injunction decisions within one week from the date of its pronouncement or service. Failure to comply with this time limit will result in the injunction decision to be lifted automatically. If the provisional injunction is granted before the main lawsuit is filed, the party requesting the provisional injunction must file the main lawsuit within two weeks from the date of requesting the enforcement of the provisional injunction. Similarly, the time limit for the objections of the opposing party or third parties whose interests are prejudiced may object to the conditions of the provisional injunction; the jurisdiction of the court and the security deposited within one week from the

²⁴ See Tanrıver, Süha, *Medenî Usûl Hukuku*, Volume 1, 4th Edition, Yetkin Yayınları, Ankara, 2021, p. 811.

enforcement of the injunction if they are present during the implementation of the provisional injunction, and one week from the service of the minutes regarding the enforcement if they are not present.

b. Time Limits Concerning Appeals to Regional Appellate Courts

Pursuant to Article 345 of the CCP, the period of appeal for appealable judgements is set as two weeks from the date of service of the judgement to each of the parties. However, the CCP does not provide an explanation as to whether only the service of the short judgement (conclusion part of the judgment without the reasoning) will start the appeal period. Nonetheless, recent decisions of the Turkish Constitutional Court have clarified this ambiguity by stating that the appeal application period should start as of the service of the reasoned judgement, not the short judgement.²⁵

Although it is foreseen that the costs of appeal shall be paid during the submission of the application, pursuant to Article 344 of the CCP, the applicant shall be given a mandatory time limit of one week to complete the missing costs. Otherwise, the application shall be deemed as not filed.

Pursuant to Article 347 of the CCP, the response to the appeal should be submitted within two weeks starting from the service of the appeal application to the respondent. Article 348 of the CCP, on the other hand, stipulates that the party who is responding to the appeal may also apply for appeal by intervention, even if they do not have the right to appeal or the application period has expired. In this case, the party who filed the original application will also be granted a two-week response period.

Finally, the time limits applicable in the first instance proceedings shall also apply to the appeal proceedings to the extent that they are appropriate.

c. Time Limits Concerning Appeals to the Court of Cassation

As regulated under Article 361 of the CCP, the time limit for appealing to the Court of Cassation is two weeks starting from the service of the (*reasoned*) regional appellate court's judgement. Pursuant to Article 366 of the CCP, the time limits stipulated for regional appellate courts on matters such as depositing the costs, appeal by intervention, and response to the appeal shall also be applicable in the appeals to the Court of Cassation.

²⁵ See Turkish Constitutional Court's *Nihal Uslukol* decision, Application No: 2016/73086 dated 25 September 2019: "...In this case, it has been concluded that the interpretation of the appellate authority regarding the commencement of the appeal period from the pronouncement of the judgement of the court of first instance, even though the grounds were not explained by the court of first instance, was unpredictable and caused a heavy burden on the applicant, the burden that the applicant had to bear was disproportionate to the legitimate aim pursued by law, and therefore the intervention was not proportionate."; Turkish Constitutional Court's *İhsan Yücel and Necmiye Anaç* decision, Application No: 2019/12803 dated 14 September 2022: "...a judgement whose reasons has not been explained is not considered as a judgement that has been pronounced, and therefore the period to apply for appeals does not start until the reasoned decision is served or pronounced...".

Time Limits Applicable to the Simple Trial Procedure

Pursuant to Article 316 of the CCP, the simple procedure in civil proceedings shall be applied only to disputes expressly regulated by law.²⁶

In the simple procedure, the time limit for the statement of defence is stipulated as two weeks, similar to the written procedure. However, in this procedure, the parties do not submit statements of reply and rejoinders. Additionally, pursuant to Article 317 of the CCP, it is regulated that the court may extend the time limit for statement of defence for a maximum of two weeks instead of a month.

Finally, as regulated in Article 322 of the CCP, in cases where there is no contrary regulation and to the extent appropriate to its nature, the provisions regarding the written procedure shall also be applied in the simple trial procedure.

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²⁶ For the disputes to which the simple trial procedure will be applied, see: (i) cases and proceedings falling within the jurisdiction of the civil magistrate courts pursuant to CCP Art. 316, (ii) cases and proceedings in which the law grants the court the right of discretion to decide directly on the documentation, (iii) requests for provisional measures such as provisional injunction, provisional attachment, and discovery of evidence, as well as requests for maritime reports, appointment of dispatchers, and objections to these requests, (iv) all kinds of alimony cases and proceedings relating to custody and guardianship, (v) lawsuits arising out of service relationship, (vi) lawsuits to be filed regarding concordat and restructuring of companies or cooperatives through reconciliation, (vii) lawsuits and proceedings falling within the jurisdiction of the court according the rules of arbitration, (viii) lawsuits and proceedings specified in other laws that the trial procedures other than the written trial procedure shall be applied; (viii) actions for trover pursuant to Enforcement and Bankruptcy Code Art. 97; bankruptcy cases pursuant to Enforcement and Bankruptcy Code Art. 158; actions for annulment of disposition pursuant to Enforcement and Bankruptcy Code Art. 281; disputes between partners and liquidators in collective partnerships pursuant to Turkish Commercial Code Art. 268; disputes between shareholders and liquidators or officers in a joint stock companies pursuant to Turkish Commercial Code Art. 546; In commercial partnerships, lawsuits to be filed by the partners or shareholders with the partnership or with each other arising out of the partnership or shareholding, or against the members of the board of directors, managers, directors, liquidators or auditors of the partnership pursuant to Turkish Commercial Code Art. 1521; labour law disputes pursuant to Code of Labour Courts Art. 7; *ex-parte* proceedings to the extent appropriate to their nature pursuant to CCP Art. 385; cases where other laws refer to oral or summary procedures pursuant to CCP Art. 447, etc.