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IMPOSSIBILITY OF THE HOLDER YOUR OWN YES ALL DEFEND WITH A CLAIM UNDER ART. 75 FROM THE LAW FOR PROPERTY

Assist. professor, Sergey Kalinkov, PhD

Department of Civil Law, Law Faculty

“Angel Kanchev” University of Ruse,

E-mail: skalinkov@uni-ruse.bg

Abstract: *Ownership claims regulated in art. 75 and Art. 76 of the current Law on Property, are intended to ensure the protection of dominion over movable or immovable property. It is irrelevant whether the person exercising the actual power is the owner or holder of the limited real right. In the current report, the emphasis is placed on the exclusion of holders from the group of claimants when filing a claim for violation of possession (Article 75 of the Law on Property). On the basis of the theoretical views, a comparative legal study of some foreign legislations concerning ownership protection, the weaknesses of the current legal system under Art. 75 of the Law on Property.*

Keywords: *protection, possession, holding, claim, legal order;*

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