Content

Course Code	Course Name	Semester	Theory	Practice	Lab	Credit	ECTS
HUK486	Appeal	8	2	0	0	2	2

Prerequisites	
Admission Requirements	

Language of Instruction	Turkish
Course Type	Elective
Course Level	Bachelor Degree
Objective	Examination of problematic matters of the appeal
Content	This course comprehensively examines the institution of appeal (istinaf), the primary legal remedy against first-instance court decisions in private law disputes. The course content begins by defining the subject, purpose, eligible decisions, and the specific grounds for appeal. It then covers fundamental procedural institutions such as the appeal application, the competent court (Regional Court of Justice), waiver of the legal remedy, and the "prohibition of reformatio in pejus" (prohibition of ruling to the detriment of the appellant). The focal point of the course is the judicial process at the Regional Court of Justice; in this context, the preliminary examination and main examination (examination on the merits) stages are covered in detail. Finally, the decisions that can be rendered at the conclusion of the appeal review (such as dismissal of the appeal, or setting aside the judgment and rendering a new decision) are analyzed in light of current case law and doctrinal debates.
References	Pekcanıtez Hakan/Özekes Muhammet/Akkan Mine/Taş Korkmaz Hülya (Editörler), Pekcanıtez Usûl Medenî Usûl Hukuku, 15. Bası, İstanbul 2017. Pekcanıtez Hakan/Atalay Oğuz/Özekes Muhammet, Medenî Usûl Hukuku Ders Kitabı, 5. Bası, İstanbul 2017. Kuru Baki, İstinaf Sistemine Göre Yazılmış Medenî Usûl Hukuku Ders Kitabı, İstanbul 2017. Özekes Muhammet, 100 Soruda Medenî Usûl Hukukunda Yeni Kanun Yolu Sistemi İstinaf ve Temyiz, 3. Bası, Ankara 2016. Akil Cenk, İstinaf Kavramı, Ankara 2010. Akkaya Tolga, Medenî Usûl Hukukunda İstinaf, Ankara 2009. Meraklı Yayla Deniz, Medenî Usûl Hukukunda İstinaf Kanun Yolunda Yeniden Tahkikat Yapılması, Ankara 2014. Albayrak Adem, Hukukta İstinaf Uygulaması (6100 Sayılı HMK'ya Göre Hazırlanmış), 3. Baskı, Ankara 2017. Çiftçi Murat Özgür, Medeni Yargılama Hukukunda İstinaf, Ankara 2016.

Theory Topics

Week	Weekly Contents
1	Subject matter of appeal
2	Objective of the appeal
3	Waive from appeal
4	Reformatio in Peius
5	Appealable decisions
6	Reasons to appeal
7	Persons authorized to appeal
8	Territorial Competence
9	Request of appeal
10	Preliminary observation
11	Inquiry
12	Form of the decision
13	Refusal of request
14	Other decisions on appeal