

# **Liquidation of the inheritance from the point of view of procedural subjects**

## **Abstract**

"Liquidation of the Inheritance from the Point of View of Procedural Subjects," focuses on the procedural subjects involved in the process. The aim of this work is to clearly state who participates, when they become a participant, how their participation affects the proceedings, what obligations they have under the law, and what rewards they receive for their participation. The area of law pertaining to the liquidation of estates has undergone considerable recodification, bringing about numerous changes.

The liquidation of an estate is a broad topic. In the introduction of this work, the author acquaints the reader with the reasons that led them to choose the given topic. The work is divided into seven chapters, each of which contains subchapters.

Chapter one provides an introduction to probate proceedings, outlining the individual steps taken after the death of a person, while defining the concept of liquidation of the estate and explaining its purpose. Chapter two deals with the ordering of the liquidation of the estate and the procedural prerequisites that must be met for the court to order liquidation. The author also discusses the content of the decision and its effects.

Chapter three is important as it describes who may participate in the liquidation of the estate and provides the reader with an overview of the previous regulation of participation. Chapter four explains who the creditor is, what liabilities they can claim, and what their application must contain. The author also states that the creditor has the possibility to bring an action for a declaration that the claim is due to them in a certain amount.

Chapter five is devoted to the activities of the liquidation administrator, including their appointment, dismissal, proceedings, and remuneration. In chapter six, the author discusses the role of the notary and the problems they could solve as part of their activities.

Chapter seven summarizes the joint activities of the judicial commissioner and the liquidation administrator. It is an activity that can be performed independently by one or the other. In the liquidation of the estate, the activity of monetizing the property of the liquidation nature is important. Therefore, one sub-chapter provides a description of the individual methods of monetizing this property.

The conclusion of the thesis is devoted to the summary of findings and the evaluation of the work. The author based their work on legal regulations, commentary, and other professional literature, professional articles, and various case law.

**Key words:**

- liquidation of inheritance
- debts
- procedural subjects