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Abstract:

The article concerns problems related to Art. 224 § 2 and 225 of the Civil Code applied in relations between co-owners. So far, studies have focused primarily on the very essence of the claim - its admissibility as well as possible its legal basis. In this respect, the views were summed up in the Supreme Court resolution dated 19 March 2013, which strongly argued for the application of Art. 224 § 2 and Art. 225 of the Civil Code.

This article is dedicated to the analysis of co-owner claim for remuneration due to unauthorized use of shared movable and immovable property committed by another co-owner. The main part of the paper aims to describe the premises of the aforementioned claim. The second important issue concerns the value of the remuneration. The third taken matter is the relation between the claim for remuneration and the vindication claim. Finally, I hope that this article shall cause substantial discussion of this topic.