

SANTISUK THIPSUK : CIVIL COURT'S TRIAL IN ABSTENTION CASE

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The objective of this thesis is to study about the theory concerning proof in civil cases and about the jurisdiction of courts in default cases under the old Civil Procedure Code in comparison with the Civil Procedure Code Revision Act (No. 19) B.E.2543 (A.D.2000). by analyzing the development of new principles and their effects on procedure and justice. Whether it has adequately protects the party in default and whether it gives the courts sufficient discretion to deal with the issue of proof in default cases.

The study finds that in civil proceeding, under the law, the power of courts to admit the evidence is quite broad. The ordinary principle of the in Procedure applies. Under the agreement principle parties, the parties must prove the facts. When the parties are in default, the agreement, principle is not applicable. The principle where by in this case the court should have the discretion to consider whether the facts submitted by the plaintiff are sufficient to proceed with the case. The court is given the duty to determine the facts or to prove the facts then applies. However, the party who is in default can ask for the court to reconsider the case under the principles and time limit specified. by the law.

ภาควิชานิติศาสตร์.....
สาขาวิชา.....นิติศาสตร์.....
ปีการศึกษา2542.....

ลายมือชื่อนิติศ.....
ลายมือชื่ออาจารย์ที่ปรึกษา.....
ลายมือชื่ออาจารย์ที่ปรึกษาร่วม.....

