

تصرف الشريك في الملكية الشائعة : دراسة قانونية فقهية مقارنة

**Partner at the Disposal of Common Property: a
Legal Study Compared Jurisprudential**

إعداد

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إشراف

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قدمت هذه الرسالة استكمالاً لمتطلبات الحصول على درجة الماجستير في القانون الخاص

جامعة الشرق الأوسط

كلية الحقوق

قسم القانون الخاص

2013 /2012


ب

تفويض

أنا خالد سلطي نواف السنجلوي، أفوض جامعة الشرق الأوسط بتزويد نسخ
من رسالتي ورقياً وإلكترونياً للمكتبات أو المنظمات أو الهيئات والمؤسسات المعنية
بالأبحاث والدراسات العلمية عند طلبها.

الإسم : خالد سلطي نواف السنجلوي

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التوقيع : 

قرار لجنة المناقشة

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أعضاء لجنة المناقشة :

التوقيع

١. الدكتور مؤيد أحمد عبيدات رئيساً ،

التوقيع

٢. الدكتور عائز محمد البعير مشرفاً ،

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Abstract

The term common property "The one thing common among several owners, represents the share of each and every one of them, is rumored in the whole thing not certain part of it which in itself is not physically, but share share expressed in numbers." It is the right partner in the common property disposition drug joint as a partner in every part of it is not entitled to the partner raised his hand with him, but dividing, and each one of the partners in the King to act in its share how willing without permission from the rest of its partners, provided they harm the rights of other partners.

The problem with the study in the behavior of the partners, which may fall from the partner alone, or one other partners in the money is common, and may be for a foreigner as may other partners here to regain share disposed of, and may be acting issued by the partners jointly or severally such as selling or foreclosure , gift or other behaviors, and that one of the partners put his hand on the common money without the permission of the other partners is Aggressor

The study concluded several findings and recommendations The study recommended a number of recommendations, and it was the most important of these results the general principle established by the Jordanian legislator who texture that partner in the common property has its share common fully and may dispose of them provided they do not harm others, it follows from this principle Many of the important results concerning the nature of the behavior of the partners and the being legally Award and religiously and approval mechanism of the remaining partners.

One of the most important recommendations contained in the study to

clarify the provisions on the opposition and the provisions of irregularity within the door on common property so as to identify cases where allowable for a partner or for the rest of the opposition and partners to sue irregularity. And be certain provisions of contracts - we have studied - in line with the legal provisions relating to the rights of others, for example, be the mortgaged specific and Separated time of arrest final thing trapped Mortgage not be commons is not clear and unrated, and is determined quota communal midwife divisible shop Wahba, where here can safeguard the rights of the other partners without or harm any of the partners individually or collectively

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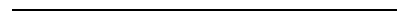
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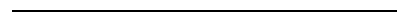
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