

APPRAISAL OF THE RELIEF SOUGHT IN LEBANESE LAW: EXAMINATION AND ANALYSIS

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Abstract

Among the things every plaintiff must specify in his petition is to determine the relief sought and its value. In the Code of Civil Procedure approved in 200, Articles 61 to 63 deal with the manner of appraisal of relief sought and objections thereto. In Lebanese law, Articles 69 to 71 of the Code of Civil Procedure set out rules in this regard. One of the effects of appraisal of relief sought in Lebanese law is determining the jurisdiction of the trial court and also determining the ability to challenge the verdicts. In Iranian law, in addition to the two mentioned effects, appraisal of relief sought is also significant in terms of proceeding costs.

Keywords; Value of relief, evaluation of litigation, Lebanese law.

Introduction

The remedy sought refers to the relief sought and what the plaintiff claims in his petition (Ansari and Taheri, 2007, p. 915).

The relief sought and its value are among the mandatory items that the plaintiff must state in his petition. This obligation is stated in paragraph 3 of Article 51 of the Code of Civil Procedure. By compromising paragraph 3 of Article 51 and Article 61 and paragraph 4 of Article 62 of the Code of Civil Procedure, it is concluded that, firstly, appraisal of relief sought is a necessity and secondly, this appraisal is the discretion of the plaintiff and the court will not interfere therein, even if the documents attached to the petition undermine its integrity (Mohajeri, 2009, p. 217).

Given the aforementioned discussion, the appraisal of relief sought is the discretion of the plaintiff and the court will not intervene as long as the defendant does not object to the value and hence there is no dispute in this regard (Karimi, 2012, p. 93).

The appraisal of relief sought refers to the practice of determining the value relief sought using the common currency of the country, that is, Rials. The appraisal of relief sought is excluded in all cases where the lawsuit is inherently non-financial (such as the obedience lawsuit) or the legislature has considered it a non-financial lawsuit (such as the lawsuit to the eviction of tenant or leaseholder).

In addition, according to paragraph 14 of Article 3 of the Law on Receipt of Some Government Revenues and its Consumption in Certain Cases, if the value of relief sought is not specified in financial claims at the time of filing the petition, the obligation to determine it in the petition will be waived. In this case, a two-thousand Rials stamp is attached to the petition, and the rest of the proceeding costs will be received after appraisal of

relief sought and issuance of the verdict, and the court is obliged to determine the value of relief before issuing the verdict (Shams, 2002, p. 39).

According to Article 61 of the Code of Civil Procedure, the value of relief sought in terms of court costs and the possibility of appeal is the same amount as stated in the petition, unless otherwise provided by law. Therefore, the cost of the petition is, in principle, the basis for calculating the cost of the proceedings and one of the bases for the possibility of appeals.

The criterion in the competence and incompetence of the court is the price specified in the petition and has not been denied by the party, not the part indicated by the document of the lawsuit (Hashemi, 2018, p. 136).

From a jurisprudential point of view, in order to hear a lawsuit, it must be written correctly, and a non-substantive lawsuit is only heard in the case of a will. The writing of a lawsuit in the case of a living person is such that the amount, material, description and type of property and debt are known, and in the case of a lawsuit against the deceased, it is also necessary to prove the death, the existence of the will and that the will is in the possession of the defendant. There is disagreement about the hearing of the unknown lawsuit, as those how are against hearing argue that the unknown lawsuit cannot be heard both because the defendant does not know how to respond to the lawsuit and because if he accepts the lawsuit, the judge has not the capacity to issue a verdict.

Proponents have sought to deem unknown lawsuit hearable, on the grounds of the acceptance of an unknown confession, But the opponents have replied that there is a difference between an unknown confession and an unknown lawsuit, because a lawsuit has been filed regarding the

unknown confession, and if someone confesses, he/she is be obliged to alleviate the unknown. Sheikh Tusi, as the most important opponents of this view, argues that this dispute cannot be heard because even if it is proven, no verdict can be issued thereon (Tusi, 1968, p. 156).

Some have said that if the plaintiff writes the lawsuit but the manner in which it is written is unknown, the court should inquire the plaintiff, and this is not considered instruction of the lawsuit to be sanctified and prohibited, but “investigation” of the lawsuit. But if it remains unknown, the lawsuit will be rejected (Heli, p. 214).

The aforementioned discussion reveals that the court can invite the plaintiff to give an explanation and attempt to have the lawsuit stated in a manner that leads to it being heard. The argument of an unknown claim is also consistent to not specifying the exact relief sought at the beginning of the petition because the judge can determine the relief sought by asking the plaintiff (Khodabakhshi, 2011, p. 244).

Considering the above-mentioned introduction to the Iranian law, the rules of the appraisal of litigation in Lebanese law are discussed hereafter. During the discussion, the cases will be compared to Iranian law if applicable. The main sources used in this article are *Al-Wajiz Fi Usul al-Mahkamat al-Madniyeh* by Alhaj Helmi Mohammad Al-Hajjar, and *Law on the Principles of Civil Trials* by Dr. Nabil Ismail Omar, which has been translated by the author and compared with the rules of Iranian law.

Rules of evaluation of lawsuits

At the outset, it should be borne in mind that here, appraisals are employed for litigation in its literal and common sense, that is, the litigation that is an independent right and its holder is allowed to seek judicial protection, and hence its appraisal is not possible.

It is applicant, that is the plaintiff, who sets the price in the litigation. The evaluation of a lawsuit in this case is based on the price of the property that is the subject matter of a pending action or what is called the value of the lawsuit.

The rules of pricing the subject matter are of paramount importance. Not only the scope of jurisdiction of the exceptional court in terms of the amount of litigation depends on litigation evaluation, it is also effective in determining the appealability of the verdict. It was observed that the possibility of appeal has a quorum, which is determined in turn by the rules that are used to determine the value of the request and determine the jurisdiction of the exceptional court.

The question that arises is: What are the assurance rules that can determine the value of the relief

sought? Should the evaluation of the relief sought be delegated to the parties or should the judge rule in this regard? Should the appraisal be undertaken while bringing the action or when the verdict is issued? What is the effect of ancillary action on determining the price of the original lawsuit? In case of multiple lawsuits or multiple defendants, how is the relief sought appraised? There are many issues regarding litigation evaluation that are mentioned in Articles 69 to 71, to which the issues mentioned in jurisprudence and judicial procedure should be added.

To further elaborate the discussion, three scenarios are considered:

- Scenario 1: A single lawsuit whose plaintiff and the defendant are also single during the trial.
- Scenario 2: Multiple claims
- Scenario 3: Multiple litigants

• Rules of evaluation of the lawsuit in case of a single lawsuit

In the mentioned lawsuits, the criterion in determining the value of the lawsuit is the price mentioned in the petitions and the pleadings (Article 69 of the Principles of Civil Procedure). Therefore, the criterion in this case is the value of the relief, which is specified in the petition and pleadings, and not what is ruled. So, if the court rules for less than the relief value, the value of the relief is the amount demanded and not what has been ruled (sentenced).

It is possible to modify the relief in the court of first instance until the end of the proceedings and therefore it is added to the initial reliefs in the lawsuit in terms of the price of the lawsuit, because the final criterion is the value of the recent reliefs that may modify the reliefs mentioned in the lawsuit. However, the reliefs mentioned in the recent pleadings should bear the sole of a remedy and not just as to strengthen the main relief (pursuant to paragraph 396 and its notes).

In this regard, Article 98 of the Civil Code of Iran provides that the plaintiff can reduce his claim, specified in the petition, at all stages of the proceedings, but increasing thereof is possible only if it is raised by the end of the first hearing. In the Lebanese law, however, the term modifying is mentioned of reliefs, which includes both increase and decrease, and is possible at all stages of the proceedings.

Typically, litigation involves the main lawsuit filed by the plaintiff against the defendant. In this case, the price of the lawsuit is simply determined according to rules.

Rule 1 - The criterion is what the plaintiff demands and not what the judge has ruled.

The principle is that the plaintiff must determine the price of the lawsuit without the judge interfering. Article 69 of the Principles of Civil Procedure stipulates that “the criterion for determining the price of a lawsuit is based on the relief sought.”

In fact, this rule is based on two logical reasons:

The first reason is that the determination of jurisdiction precedes the issuance of the verdict in the lawsuit and even precedes the origination of the judgment. It is therefore the plaintiff that requires a criterion for compliance to bring the case before the court, just as a judge needs to first have his or her jurisdiction determined in order to be able to issue a judgment. The second reason is that if the evaluation is not left to the claimant, then to whom should it be left? If it is argued it should be left to the judge, it practically means that the judge is left free to determine his/her jurisdiction, so that if he/she wants the case, he/she deems himself/herself competent to hear the case, and vice versa. Therefore, it is implied that the burden of determining the value of litigation is the parties and not the court. The plaintiff determines the scope of the lawsuit according to what is requested for relief, so if a person wants to file a lawsuit against another amounting to more than ten million Lebanese Pound, the plaintiff has the right to apply to the court of first instance without the court having the right to change this valuation.

Rule 2 - The criterion for determining the relief sought value is the spot rate

The reason for this rule is that as soon as a lawsuit is filed, that is, a judicial action initiates, the trial begins and time passes continuously, so the claimant must be kept secure from effects consequences of subsequent price changes due to the passage of time. If the plaintiff files a lawsuit claiming ownership of the movable property, the price of which is less than ten million Lebanese Pound at the time of the lawsuit, he/she must file the lawsuit before the same judge.

Rule 3 - In determining the value of a relief, its attachments, that are entitled to after the lawsuit, are not included.

In the rules of appraisals, attachments to a relief have an extensive implication and are not limited to extras such as court costs and expert fees, but also include the benefits of the right claimed and its effects.

In this regard, Article 70.1 of the Lebanese law states that “in determining the price of a lawsuit, the price of the original lawsuit is taken into account, regardless of what is entitled to it after the lawsuit is filed, including their benefits, damages, and effects resulting from the attachments.”

To clarify this article, in the case of miscellaneous attachments, a distinction is made between the

following two situations:

Case 1: Entitlement to the attachments arises after the lawsuit or is claimed a while after the lawsuit. It is like a fruit that was grown in the land that was in the possession of the usurper.

Case 2 - Entitlement for attachments arises after litigation. These are the same attachments referred to in Article 70.1 of the law. Such attachments are not present at the time of the litigation to be claimed, as hence it is not possible to determine their price. For this reason, attachments that arise after entitlement are not included in determining the price of the lawsuit. The legislature draws a logical conclusion from this and stipulates in Article 88 that the single judge “should pay attention to what arises from the main dispute, including the benefits and effect, the total price of which reaches the quorum.”

Rule 4 - Pricing criteria for the case in which a part of the disputed right is claimed

The plaintiff is allowed to claim part of the right. In this case, is the value of the claim determined based on what he has demanded or on the total price of the right subject to litigation?

It does not seem logical to calculate the value of the lawsuit based on the total value of the subject matter of litigation because the total value is not the subject to litigation. This argument is based on the text of Article 70.3 of the law which states that “in determining the price of the subject matter of the lawsuit, the total price of the right is taken into account, even if the relief is associated to a part therein while the lawsuit affects the whole right.” In terms of determining the value of the lawsuit, there are three scenarios about claiming a part of the right:

- Scenario 1: the claim refers to a part of a right that has no effect on the entire right of the subject matter of the lawsuit. As if the plaintiff claims part of the funds on the basis of the first installment of the sale price and the lawsuit has no effect on the lawsuit invalidating the sale or paying the full price. In this case the value of the claim is calculated based on the price of the requested part. This notion is contrary to the text of Article 70 above.
- Scenario 2: this is the same as the previous scenario, except that the claim affects the entire right, such as claiming in the previous example that the entire price has been paid or the contract is terminated due to the seller's failure to deliver the object of sale. In this case, the conditions of Article 70.3 are satisfied and therefore the price under dispute is calculated in proportion to the total right of the subject matter of the dispute.

- Scenario 3: in this scenario, a part of the right is subject to dispute, which is also the last part of the right subject to dispute. It is as if the seller is demanding that the customer pay the last installment. This is the most challenging scenario because the lawsuit does not affect the whole right, but the lawsuit is priced in proportion to a part of the relief sought.

Rule 5 - Evidences and tools related to the lawsuit do not affect the appraisal of the relief sought

The plaintiff proves his claim by means of documents, just as the defendant may offer a plethora of defenses. Do the means or arguments of the plaintiff or the defenses of the defendant affect the value of the claim?

A) With regard to the evidences of the plaintiff, it is an absolute rule that the value of the relief sought is determined on the basis of what the plaintiff has specified in his petition and the arguments that he has invoked have no effect. When the plaintiff demands the restitution of purchase money, based on the fact that the contract has been annulled and provides evidences thereon, the value of the claim is determined based on the value of the price claimed by the plaintiff and not on the value of the invalidated document or the value of the submitted document addressing the annulment of the contract, even if the customer did not request the annulment of the contract and the restitution of purchase money

B) With regard to the evidences and means of defense, the rule in this case is also that the means of defense are not calculated in the appraisal of the relief sought, and hence the price is determined according to the claimant. The logic behind this ruling is that the court differentiates between the defenses of the defendant and the evidences of the claimant.

- **Rules for determining the price of litigation in the case of multiple reliefs (despite a single defendant)**

The rules for determining the value of a lawsuit in the case of a single claimant filing against a single defendant are established. But will litigation pricing rules differ in cases where there is one claimant but multiple reliefs?

- **Multiple main reliefs**

In this case, there is no prohibition for the plaintiff to bring all his reliefs in one petition. Various scenarios are discussed here: if the reliefs are related to each other (as a rule) or not related, and if they are caused by a single cause or multiple causes.

- Scenario 1: the multiplicity of main reliefs that are related to each other.

In this case, Article 70.2 explicitly states that the relief sought is appraised based on the sum of claims related to each other, whether they are due to a single legal cause or for various reasons, or have been filed in a single lawsuit, or in various lawsuits to be attached later. The basis of this pricing in the case of multiple reliefs is the relationship therebetween.

That is, the relationship between them in such a way that the issuance of a verdict for one of them in the dispute has an impact on the termination of the other lawsuit.

- Scenario 2: Multiple main unrelated reliefs

In this case, the text of Article 70.4 explicitly stipulates that relief sought should be appraised based on the total number of reliefs, but should be determined based on the value of each relief separately. The logic behind rule is that bringing the sum of reliefs in a single lawsuit before the court, despite the lack of connection therebetween, may be aimed at overrepresenting the value of the claim in order to include it in the jurisdiction of the court of first instance, while these claims should be filed as multiple lawsuits.

- **Multiple claims at a time after litigation**

It is a general rule that litigation arises with the original relief, unless the legislature has authorized an ancillary relief or counterclaim. The question here is about how to determine the price of the lawsuit, especially knowing whether it will be aggregated with the main relief if the lawsuit is filed?

- Scenario 1: that the multiplicity of reliefs is the result of an additional relief

In this scenario, the multiplicity of reliefs is the result of an ancillary claim and is raised by the claimant, who is the party to the main relief and determines the price of the claim from the outset. This additional relief involves correcting the original relief or modifying the subject matter or its cause, or completing the relief or issuance an interim order, and the rule is that in these cases the value of the relief sought is determined based on the final relief of the plaintiff, and not what is stated in the petition, but rather based on subsequent pleas. The problem of additional litigation and its effect on determining and consequently the jurisdiction of the court is presented in two ways:

First, to find out whether the claim is inherently within the jurisdiction of the court in terms of

price. Second, to know whether the value of the additional relief is added to the value of the original relief or not?

Regarding the first issue, Article 30.2 of the Law on the Principles of Civil Procedure states that the condition for accepting an ancillary lawsuit, i.e., an additional lawsuit, must be within the jurisdiction of the court, and in fact this is a condition of inherent jurisdiction and not a condition of accepting an additional lawsuit. But the rule for the second case is that the value of the relief is determined based on the value of the final reliefs, and hence the value of the additional claim must also be taken into account in pricing.

- Scenario 2: The multiplicity of claims is the result of a counterclaim.

If the multiplicity of claims is not the result of the initial claims of the claimants, as was the case with the additional claims, the question is whether the counterclaim also has an effect on determining the price of the lawsuit? As in the case of an additional claim, the counterclaim must also be within the jurisdiction of the court in which the main claim was raised. Article 88 of the Law on the Principles of Civil Procedure stipulates that the counterclaim will be addressed as long as it is within the jurisdiction of the judge at the cost of litigation, even if the sum of the counterclaim and the original claim exceed the jurisdiction.

Counterclaims are not only for defending against the relief of claimant and rejecting it, but the purpose of bringing them before court is to issue a verdict in favor of the defendant, and these reliefs are different from the main lawsuit and counterclaims are effective in determining the value of the claim. However, they are not added to the main claim in appraisal of the relief sought, and are considered independently, so if they are less than the quorum of appeal, the value of the main lawsuit would also be less than the quorum, and thus the ruling will be non-appealable in both cases.

In Iranian law, According to Article 65 of the Code of Civil Procedure, if several lawsuits have been filed under one lawsuit, the claim of each lawsuit must be filed separately and hence the value for each must be determined separately and the cost of their trial must be calculated and paid separately. Accordingly, the capacity to appeal the verdict is considered and determined separately for each of the lawsuits, and therefore the total cost of the lawsuits in this regard is not taken into account. In fact, filing multiple lawsuits in one lawsuit should not affect the status of each of these lawsuits in terms of ability to file claims (Shams, 2002, p. 42).

- **Rules for determining the value of the claim in the case of multiple parties to the dispute**

Multiplicity of parties to a dispute arises as a result of (1) litigation by several people together (multiple claimants); (2) litigation against several persons (multiple defendants) and (3) litigation by the plaintiff against the defendant and then the entry of a third party in the proceedings or the summoning of a third party.

Non-appraisable claims

When it is not possible to apply the aforementioned rules for the appraisal of the relief sought and it is necessary to do so, the lawsuit is considered as more than the quorum of the single judge and falls within the jurisdiction of the court of first instance. In this case, the lawsuit is deemed to non-appraisable, that is, it is not possible to evaluate it according to the above rules. There are several scenarios in which reliefs cannot be appraised. These scenarios are:

A. Claims that are inherently non-appraisable

Examples of such lawsuits are cases related to personal status or qualifications, such as personal lawsuits, lawsuits related to marriage, such as annulment or divorce. Inability to price lawsuits in these lawsuits is due to the non-financial nature of these lawsuits, such as lawsuits for annulment of peace, annulment of testimony, and annulment of company among others.

B. Claims that are difficult to price after assertion

These include claims whose subject matter are appraisable yet are considered to be non-appraisable because they cannot be priced in cash unless they have been filed for a period of time, or a warrant has been issued, or are appraisable only after an indefinite period of time.

C. Claims whose price cannot be priced except as stated in the petition

An example of these lawsuits is those litigating stocks on the exchange, the price of which is determined by referring to the stock markets.

Indefinite price claims are those cases whose subject matter is indefinite or financially non-appraisable and is due to the impossibility of pricing and not due to its ignorance. Indeterminate price claims including personal claims and probate of will, the lawsuit to appoint the judicial trustee, the lawsuit to eliminate the abuse and misconduct on the ground.

Of course, litigation, as a right that allows a person to go to the judiciary, cannot be fixed in price, but debts that involve a judicial claim may be definite or indefinite.

✓ Multiplicity of the main parties to the dispute

When a lawsuit is filed by a single claimant against multiple defendants or vice versa, it means that there are multiple main reliefs. Therefore, appraisal

of the relief in this case is done based on clarifying the extent of the attachment and the relationship between the reliefs, so that if this relationship exists between the reliefs submitted by multiple claimants, the total reliefs will be considered for the appraisal. But if there is no association therebetween, it is calculated based on the value of each relief separately

✓ **Multiplicity of litigation due to the entry of a third party**

The entry of the third party does not affect the rules of jurisdiction when he/she enters the proceedings in relation to relief proceedings for the issuance of a verdict for him-/herself for the right to confront the litigants. In fact, an independent lawsuit is arisen, the value of which must be determined independently of the main lawsuit. When a third party enters as a reinforcement of one of the parties to the dispute, this entry is optionally ancillary and will not affect the value of the relief.

Because the third party does not introduce a new and independent relief here and only enters to confirm and defend the relief of one of the parties, it is deemed a defense that, as we have seen, has no effect on determining the value of relief.

✓ **Summoning of the third party**

In the case of compulsory third-party entry (summoning of the third party), the aforementioned rules apply, i.e., if the purpose of entering a third party is simply to have him/her involved in the issued verdict, without providing specific relief, the aforementioned solution for the ancillary third-party is adopted, and hence it will not affect the value of the lawsuit. If the purpose of bringing a third party is to issue a verdict against him with specific reliefs, then this specific relief should be within the inherent jurisdiction of the court, but the value of the original relief is not calculated in total.

Methods for appraisal of the relief sought

Reviewing the rules for appraisal of the relief sought revealed that the value of multiple reliefs is added together and each relief is addressed with separate value, but do these rules apply to determine a certain amount of money as a relief price which is less than or more than ten million Lebanese Pounds?

The relief that should be appraised here is the main relief, not what will be subsequently attached thereto. Article 88 of the new law has provided the things that become the right after filing a lawsuit, such as accessories, benefits, and damages among other from the attachments (Article 70.1 of the Principles of the New Civil Procedure). There is one exception to the rule mentioned for the jurisdiction of a single judge, that is, "In addition to

the main lawsuit, the reliefs and delays caused by the main lawsuit are also taken into account." As can be seen in what is one of the benefits of the right is the subject of the main lawsuit, including the beneficiary and the accessories and the accompanying results that determined the value." (according to Article 36 of the former Judicial Regulation Law). If the subject of the main lawsuit is a cash amount, its value is set equal to the relief sought. However, if the subject of the lawsuit is non-cash property, its price is then equal to its cash equivalent (Pursuant to paragraph 73).

In rules on determining the value, the rules should be applied with regards to determining the value of the relief and filing a lawsuit with the judge. The most important of these rules are:

• **Litigations for claiming cash**

When the purpose of the lawsuit is to issue a verdict of cash payment, there will be no problem in recognizing the value of the relief and whether it is within the jurisdiction of a single judge or a court of first instance, because in this case, the amount of relief is considered even if it contains several amounts.

In Iranian law, Article 62.1 of the Code of Civil Procedure stipulates that

"If Relief is the currency of Iran, its price is the amount requested, and if it is foreign currency, its appraisal of the relief sought is performed at the official rate of the Central Bank of the Islamic Republic of Iran on the date of filing the petition."

The evaluation of foreign currency is aimed solely at determining the cost of the proceedings and the possibility of appealing the final verdict. Therefore, if the court finds the plaintiff entitled to relief or a part thereof, it should sentence the defendant to compensate in the foreign currency that is requested by the plaintiff and the court has addressed. It goes without saying that if it is not possible to pay in the foreign currency (object of judgment) for the defendant at the time of execution of the sentence, its price should be received at the fair rate of the day from the defendant and be paid to the claimant (Shams, 2002, p. 43).

• **Movable property claims**

The legislature has set a rule for determining the value of moveable properties, and that is being based on the value of similar properties according to current market price. This issue is specified in Article 70.8.

• **Claims related to the corporeal rights of immovable properties**

Article 70.7 stipulates that the value of land is

taken into account in determining the value of relief sought. If the dispute is on the right of ownership or the right to occupy government lands, the price of the accessions and trees is also calculated, even if their eviction is part of relief. But how is the price of land determined?

There is nothing wrong with this pricing being based on what the plaintiff specified in his lawsuit to which the litigant did not object. However, if there is an objection, the judge must determine the actual price through litigation documents (such as the contract of sale on which it is invoked) or by referring the matter to an expert. If no documents are found to determine the price, the judge has to evaluate the price through an expert opinion and visiting the place of the dispute. This appraisal is based on the filing date of the lawsuit.

• **Lawsuits related to contracts**

The purpose of these lawsuits is to annul or terminate the contract, and the legislator has determined that in these cases, the value of the right mentioned in the documents are the criterion for appraisals.

• **Claims that are brought to action on a joint document**

It is assumed here that lawsuits pertain to scenarios in which there are multiple parties, such as multiple creditors or debtors, and multiple parties related by a joint document, such as multiple persons purchasing an item in a single contract, with the seller claiming some of the price against some of them. In this case, the relief is not evaluated based on the sum of the parts of the price that the plaintiff has claimed, but is evaluated based on the total price mentioned in the document.

• **Claims related to long-term interests**

According to Article 70.9, a distinction must be made between two cases, that is, whether the benefits are for a limited period or for a lifetime. In the former, the appraisal is not based on what the claimant demands, but on the benefits of the entire period. But in the latter, the value of the claim is considered non-appraisable, that is, more than 10 million Lebanese pounds, and hence is within the jurisdiction of the court of first instance.

Conclusion

As noted, the rules on appraisal of relief sought in Lebanese law are very similar to those of the Iranian law, but there are some differences between the legal rules of the two legal systems. These include the method employed for evaluating the relief sought in case the time is not specified. In such cases, such claims appraised as non-

appraisable lawsuits, but Article 62 of the Iranian Code of Civil Procedure sets the criteria based on the sum of ten years' interest.

Another dispute is over movable property. In Lebanese law, the relief sought is evaluated based on the current market value of the movable property, but in Iranian law, in such cases, the relief sought is the amount stated in the petition, against which the defendant has not objected.

Another difference is that in Lebanese law, it is possible to modify the relief sought, i.e., increase or decrease it at all stages of the proceedings, but in Iranian law, according to Article 98 of the Code of Civil Procedure, the relief is can only be increased until the end of the first hearing. But a reduction in relief sought is possible at all stages of the proceedings.

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