

■ E DREJTA E DETYRIMEVE

1. Nocioni i detyrimeve

E drejta e detyrimeve është një degë e veçantë e së drejtës dhe bën pjesë në grupin e lendeve civile. Në kuptimin objektiv, ajo përfshin normat juridike, të cilat rregullojnë marrëdhëniet juridike të detyrimeve. Regullativa juridike pozitive në Kosovë nuk e pëcakton kuptimin e marrëdhënieve juridike të detyrimeve, siç nuk e bëjnë këtë edhe shumë kode civile dhe ligje të marrëdhënieve të detyrimeve në të drejtën krahasuese.

Më përcaktimin e nocionit të marrëdhënieve të detyrimeve merret doktrina e së drejtës së detyrimeve. Në këtë doktrinë ekzistojnë shumë përkufizime përkitazi me kuptimin e marrëdhënieve të detyrimeve, ndër të cilat zotëron përkufizimi sipas të cilit marrëdhëniet e detyrimeve janë marrëdhënie juridike mes dy subjekteve, nga të cilat njëri quhet debitor dhe tjetri kreditor, sipas të cilave kreditori ka të drejtë të kërkojë nga debitori një dhënie (dare), bëjë ose veprim (facere), mos bëjë (non facere) ose pësim (pati), ndërsa debitori është i detyruar që ta përmbushë atë.

Megjithatë në disa kode civile është përcaktuar nocioni i detyrimit. Sipas Kodit Civil të Shqipërisë detyrimi është një marrëdhënie juridike, me anën e së ciles një person (debitori) detyrohet të japë diçka ose të kryejë a të mos kryejë një veprim të caktuar në dobi të një personi tjetër (kreditori), i cili ka, gjithashtu, të drejtë të kërkojë t'i jepet diçka ose të kryhet apo të mos kryhet veprimi (neni 419).

E drejta e detyrimeve, në kuptimin subjektiv, përfshin pushtetin juridik të subjekteve pjesëmarrëse në marrëdhëniet e detyrimeve, të cilin e nxjerrin nga e drejta objektive e që ka të bëjë me autorizimet e kreditorit për të kërkuar nga debitori përmbushjen e detyrimeve të caktuara.

Fjala detyrim rrjedh nga fjala latine obligatio që do të thotë lidhje, ndërsa në të drejtën romake është kuptuar si lidhje mes debitorit dhe kreditorit.

Çdo detyrim përmban kërkesën e caktuar të kreditorit dhe detyrimin e debitorit, përkatësisht borxhin e debitorit.

E drejta e detyrimeve përfshin normat juridike, të cilat rregullojnë marrëdhëniet pasurore mes personave. Pra, ajo merret me kalimin e pasurisë nga pasuria e një subjekti në pasurinë e subjektit tjetër, kalim ky që bëhet me vullnetin e palëve ose kundër vullnetit të tyre dhe me shpërblim ose pa shpërblim. E drejta e detyrimeve, si degë e së drejtës, e cila merret me studimin e marrëdhënieve të detyrimeve me anë të cilave bëhet qarkullimi i mallrave dhe i shërbimeve, është superstrukturë në ekonominë e tregut.

Subjektet e detyrimeve

Marrëdhënia e detyrimeve është marrëdhënie juridike mes dy a më shumë subjekteve me cilësi të kreditorit dhe debitorit, me kërkesa dhe detyrime të ndërsjella, të cilat Ligji për Marrëdhëniet e Detyrimeve (LMD) i cileson si pjesëmarrës në

E Drejta E Detyrimeve Pdf

Mariana Tutulani-Semini



E Drejta E Detyrimeve Pdf:

Europeanisation of Private Enforcement of Competition Law Gentjan Skara, 2022-04-06 This book argues that the European integration process Europeanisation is pushing the member states and candidate countries toward a greater convergence with the EU's competition acquis Through the transposition of the Directive 2014/104/EU the member states have harmonised substantive and procedural rules which is beneficial to individuals and enterprises because it provides a minimum protection across all member states In addition it is commonly agreed in academia that the prospect of EU membership brings positive domestic changes in the candidate countries At the moment Albania is waiting to open negotiations for the chapters of the EU acquis Firstly this book addresses the evolution of private enforcement at the European level by examining the objectives modalities and actors that contributed to the development of private enforcement Secondly it analyses the Directive 2014/104/EU and how the three selected EU member states have transposed the directive into their domestic legal system considering the discretion margin left by Article 288 TFEU and a minimum harmonisation level defined in the directive Thirdly it provides a historical overview of private enforcement in Albania and shows how the Albanian Competition Authority has addressed the transposition of the Directive 2014/104/EU **The Diffusion of Law** Sue Farran, James Gallen, Christa Rautenbach, 2016-03-09 In considering diffusion from a global perspective this book provides timely new insights into its application in a variety of fields and at many levels of both legal and non legal orderings This collection contributes to the wider theoretical debate concerning the movement of law and legal norms by engaging with concrete examples of legal diffusion in jurisdictions as diverse as Albania the Czech Republic Poland and Kuwait These examples taken together provide a comprehensive illustration of the theoretical debates concerning the diffusion of laws and norms in terms of both process and form This international multi disciplinary and multi methodological volume brings together scholars from law and social science with experience in mixed and hybrid jurisdictions and advances the conversation about legal and normative diffusion across the academy It represents a robust challenge to many preconceived ideas about legal movement and as such will be of interest to academics and students working in the fields of Law Sociology Anthropology Political Science Legal Education and comparative method *E drejta e detyrimeve dhe e kontratave* Mariana Tutulani-Semini, 2016 *E drejta e detyrimeve* Andon Sallabanda, 1977 **E drejta e detyrimeve** Faton Z. Shabani, 2023 **E drejta e detyrimeve (Pjesa e Përgjithëshme).** Andon Sallabanda, 1962 *E drejta e detyrimeve* Andon Sallabanda, 1976 **E drejta e detyrimeve** Nerxhivane Dauti, 2016 **E drejta e detyrimeve** Andon Sallabanda, 1977

The book delves into E Drejta E Detyrimeve Pdf. E Drejta E Detyrimeve Pdf is a vital topic that must be grasped by everyone, ranging from students and scholars to the general public. This book will furnish comprehensive and in-depth insights into E Drejta E Detyrimeve Pdf, encompassing both the fundamentals and more intricate discussions.

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- Chapter 4: E Drejta E Detyrimeve Pdf in Specific Contexts
- Chapter 5: Conclusion

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6. In chapter 5, this book will draw a conclusion about E Drejta E Detyrimeve Pdf. The final chapter will summarize the key points that have been discussed throughout the book.

This book is crafted in an easy-to-understand language and is complemented by engaging illustrations. It is highly recommended for anyone seeking to gain a comprehensive understanding of E Drejta E Detyrimeve Pdf.

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vazhththu kaliyugath dheyvame kandhanukku mooththone mooshiga vaganane moolap porulone skandhaguru kavasaththai

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