

Decision Regarding Period of Limitation for the Recourse Lawsuits Filed Against Subcontractor

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Decision of the 23rd Civil Chamber of the Court of Cassation Regarding Period of Limitation for the Recourse Lawsuits Filed Against Subcontractor by the Primary Employer

In the decision of the 23rd Civil Chamber of the Court of Cassation which was published in the Official Gazette dated 28.12.2019, it has been decided that; "The recourse lawsuits filed against the subcontractor by the primary employer due to the payment made to the subcontractor by the primary employer within the scope of the service procurement agreement are not subjected to 2 years of period of limitation as per Article 73 of the TCO, but 10 years of period of limitation as per Article 146 of the TCO, which is the general provision regarding the period of limitation instead."