

With its decision dated 15.03.2023 and numbered 2021/848 E., 2023/213 K

01/06/2023

“With its decision dated 15.03.2023 and numbered 2021/848 E., 2023/213 K. of the Court of Cassation Assembly of Civil Chambers, it has been decided that obligation of loyalty is eliminated in the cases where the divorce lawsuit has been finalized in terms of divorce, but it is ongoing in terms of the secondary claims, by stating that: *“The marriage union of the spouses and the obligation of loyalty arising from this union has ended with the finalization of the decision of divorce on 12.01.2018, therefore, on the date of the lawsuit based on adultery filed by the male spouse, the parties do not have an obligation of loyalty to each other.”*

You can access the decision from pdf as attached.

Yargıtay HGK., E. 2021-848 K. 2023-213 T. 15.3.2023