

With the Decision of the Court of Cassation Grand General Assembly to Unify the Case Law, Decision dated 20/01/2023, numbered 2021/2 E., 2023/1 K.,

17/07/2023

“With the Decision of the Court of Cassation Grand General Assembly to Unify the Case Law, Decision dated 20/01/2023, numbered 2021/2 E., 2023/1 K., while there is a pending enforcement proceeding against the same debtor over the same receivable, since the second proceeding will unbalance the interests and will be contrary to the execution proceeding economy, it has been decided by majority of the votes that for the purpose of collecting the receivable which is secured by pledge and also tied to a bill of exchange, it is not possible to proceed against the debtor by means of both the conversion of the pledge into money and the attachment specific to the bill of exchange, at the same time and regardless of the order, provided that there is no repetition in the collection.

You can access the full text of the decision at
<https://www.resmigazete.gov.tr/eskiler/2023/07/20230716-11.pdf>”