

Litigation and claims around wastelands

Category: Physical Planning Procedures

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Litigation and claims regarding wastelands, perpetual surface rights, measures and boundaries: Legal Provision Resolution No. 54/14 of the Physical Planning Institute.

When there is a conflict about wastelands, Perpetual Surface Law or measures and boundaries, the person affected will promote the process in writing, without any formality, in which it is stated briefly and clearly what is claimed and the facts and grounds of the right of what is requested, attaching the documents that in this regard are in the possession of the claimant, and expressing any evidence that he intends to use or through an appearance before the official of Physical Planning (OGTV), who will issue a document containing the claim and its foundations, and will attach the documents that in this regard are held by the claimant, providing any evidence that it intends to use.

This process is carried out in compliance with the procedure established in the regulation and once it is concluded, a resolution is issued resolving the matter; Whoever is not in agreement will establish an Appeal before the Popular Provincial Court within 30 working days following the date of notification.

Term: 60 business days.

In the event that errors or omissions are detected that do not go to the bottom of the matter, subject to correction in the resolutions already issued, they will be resolved by the Municipal Directorate of Physical Planning through resolution.

The resolutions issued by the provincial and municipal directorates of Physical Planning, in compliance with the provisions of this Resolution, may be challenged before the Civil and Administrative Chamber of the corresponding Provincial People's Court, within a term of thirty (30) business days. following the notification.