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?????? ?????? 130/2017 ?????????????? - ?????? ?????? ?????????? ?????????? -  
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????????????? ??? ??????????, ??? ?? ?????? ?????? ?????????? ?????????? ?????????? ?????????? ?????????? ??????????  
????????????? ??? ??????, ??? ?? ??? ???? ?????? ?????????? ?????????? ??? ?????????? ??? ?????????? ?????????? ???  
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??? ?????????? ??? ?????????? ??? ?? ?????? ?????????? ??? ?????????? ??? ?????? 31 ??? .1 ??? .? ??? ?.  
1591/1986, ??? ?????????? ??? ?? ?????????? ?????????? ???, ??? ?? ?????? ?????????? ???, ?????????? ??? ?? ???  
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????????? 1 ??? 4, ??? ?????? ?????? ?????????? ??? ?????? ??? ?????? ?????????? ??? ?????????? ??? ?????????? ???.  
224/2016). ? ??? ? ?? ??? ?????? ??? ?????? 66 ??? .5 ?? .? , ??? ?????????? ??? .4174/2013 "?????????  
????????? ??? ?????????? ???, ???' ?? ?????? ??????, ??? ?????? ?????? ??? ?????????? ??? ?????????? ??? ??????  
????????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?????? ???, ?????????? ?:?) ..... ??? ?)?)  
????????? ??? ??? (10) ???, ??? ?????? ?? ?? ??? ?????? ?????????? ??? ?????????? ??? ?????? (200.000) ???, ??  
????????? ??? ?????? ??? ?????????? ??? ??????, ??? ?? ????. 2 ??? .1 ??., ?????????? ??? ?????? ??? ??????  
??????, ??? ? ?????????? ??? ?????? ?????? ?????????? ?????????? ?????????? ??? ?????????? ??? ?????? ??? 200.000  
????? ??? ?????????? ?? ?????????? ??? ?????? ?????? ?????????? ?????????? ??? ?????????? ??? ?????? ??? 241.980  
????? ??? ?????????? ??? ?????????? ??? ?????? ?????? ?????????? ?????????? ??? ?????? (241.980) ????, ??? ? ?? ??? ??  
????? ?????????? ??? ?????????? ??? ?????? ?????? ?????? ??? ?????? 200.000 ????, ??? ? ?? ??? ?????????? ??? ??????  
??? 150.000 ????, ??? ?????????? ? ?????????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ??? ??  
????? ??? ??? (????? 52 ??? .2 ??? 3 ??? ?). ? ?????????? ??? ?????? ?????? 93 ??? .3 ???  
????????? ??? 139 ??? ??? ?????? ??? ?????????? ?????? ?????????? ??? ?????? ?????? ?????? ?????? ?????? ??? ??  
????? ??? ??? ? ?? ??? 510 ??? .1 ????. .? ??? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ??? ??  
??? ?????????? ??? ??????, ??? ?????????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??? ??  
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???? ???? ?????????????? ?????????? ?????????? ???, ?????????????????? ?? ?????????????? ????? ?????? (?????) ????. ????? ????  
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????????????? ??????????????? ?? ???????, ?????? ?? ?????????? ??? ???? ?????? ?????? ?????????? ?????????? ??? ????  
????????????? ?????????? ??? ???????????, ????? ? ? ? ?????? ?????????? ?????????????? ?????????? ??? ?????? (?????)  
????????? ?????????? ?????????? (????????? ?? ?????????? ?????????????? ??????????), ????. ??? ???? ??????????  
??? ??? ?????????????? ?????????? ??? ?????????????? ?? ?? ?????? ??? ?????????? ?????????? ??? ?????????? ??????????????  
?????????, ??? ? ? ?????????????? ??? ?????? ?????? ?????????? ?? ??? ?????? ??? (?? 224/2016). ??? ???? ????????,  
???? ? ? ???????, ?????????????? ?????????? ??? ?????? ?????????? ? ?????????????? ?????????? ??? ?????????????? ??? ??

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?????????? ?????? 5???? ?????????? ?? ????????

???? ?????? 82 ????. 1 ??? 3 ??, ????? ?????? ?????????????????????? ??? ???? ????. 1 ??? 2 ??? ?????????????????? ??' ????  
?????? ?????? ?. 4093/2012 ?????????? ?? ??? : "1. ... ? ?????????????? ??? ?????????????? ?????? ??? ?????  
????????? ??? ?? ???? ??? ?????? ?????? ?????????? ?? ?????? ?????????????? ?? ?????????? ??????, ?????? ?? ???? ??????????  
?? ??????? ?? ???? ?????? ?????????????? ?? ?????? ?? ???? ?????? ?? ???? ?????? ?? ???? ?????? ?? ???? ??????

???? ?????? ?????? ?????????? ??????...3. ??? ?????? ?????? ?????????? ?????????? ?????? ?? ??? ???? (5) ??? ?????  
????? (100) ??? ... ?? ?????? ?????? ??? ?????? ?????????? ?????????? ?????? ?????????? ?????? ?????????? ??????  
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??? ??? ?????????? ?? ?????? ???, ? ??? ?????? ?????????? ?? ?????? ???, ?????? ?? ?????????? ?? ??????  
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??? ??? ? ??? "?????????", ??? ? ??? ? ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????? ??? ??????  
?? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? 3727/2008 ??? ?????? 16  
?????, 3772/2009 ??? ?????? ????. 3 ?????? ??? 3811/2009 ??? ?????? 26 ??????, ?? ?????? ?????? ?????? ???  
????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ???,  
????????? ?????? ?????? ?????? ?????? ?????? ?????? "????????? ?????? ?????? ?????? ?????? ??????" ??? ?????? ??????  
?? "????????? ??????".

??????, ?? ?????? ?????? ?????? ??? ?? ?????????? ??? ?????? ?????? ?????? ?????? ?????? ?? ?????? ?????? ???  
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(????? 83 ??????. ?' -?' ??). ??? ? ?????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????  
????????? ?????? ?????? ?????? (?? 454/2016). ?? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????? ??????  
????????? ?????? ?????? 82 ????. 1 ??, ??? ?????? ?? ? ?? ?. 4093/2012, ?????????? ???  
????????? ??? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? (5) ???, ? ?????? ?????? ??? ??????  
?? ? ? ? ?????? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????  
????????? ?????? ?????? ?????? ?????? ?????? ?????? 150.000 ???, ?????????? ?? ??????????  
????? ??? ?????? ?????? ?????? (241.980) ????. ??? ?????? ??? ?????? ?????? ?????? ?????? ??????  
(???. 23), ? ?????? ?????? ??? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ???  
????? ?????? ?????? ??? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ???  
????? ?????? 82 ????, ??? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??? ?????? ???  
?? ?????? ?????? ?????? ?????? (5) ????. ???, ?????? ?? ? ? ?????? ?????? ?????? ?????? ??????  
????? ?????? ?????? ?????? ?????? ?????? ?????? (?????????) ?? ???????. ???????, ?? ??? ??????  
????? ?????? ?????? ??? ?????? ?????? ?????? ?????? 82 ????. 1 ??, ??? ?????? ?????? ?? ? ? ????  
?? ? ? ??. ??' ???. 1-2 ?. 4093/2012, ?????????? ?????? ?????? ?????? ??? ?????? ?????? ??????  
????? ?????? ?????? ?????? 510 ????. 1 ??????. ?' ??? ???, ?? ??? ?????? ?????? ?????? ??????  
????? ??? ?????? ?????? ?????? ?????? (5) ???? ??? ?????? ?????? ?????? ?????? ??????  
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Z' ?????? ??????

????????? ??? ?????? ??????: ?????? ?????, ?????????? ??? ?????? ??????, ?????? ?????? ?????? ??????  
????? ?????? ?????? ?????? - ????????, ???????????.  
????? ?? ?????? ?????? ?????? ??? ?????? ?????? ??? ?????? 9 ?????? 2016, ?? ??? ?????? ??? ??????  
?? ?????? ?????? ?????? (????? ?????? ??????) ??? ?????? ?????? ?????? ?????? ??????  
?? ? ? ?????? ??? ?????? ??? ?????? ?????? ?????? - ???????. ? . ? ? ., ?????? ... ??? ?????? ??????  
?? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? 127/2015 ?????? ??? ??????  
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?? ?????? ?????? ?????? ?????? ?????? ?? ??? ?? ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ??????  
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13 ?????? 2015 ?????? ??? ?????? ?, ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? .../2015.

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?????????????????, ??? ?????????? ?? ?????? ?????? ??????????.

????????? ???? ???? ?? ?? ???

? ?????????? ??' ?????... 2015 ??? 13-11-2015 ?????? ??? ?. ?. ??? ?, ??? ?????????? ??? ??' ?????. 127/2015  
????????? ??? ?????????? ??????? (?/?/?) ..., ? ????? ?????????? ??? ??? ?? ????? 473 ????. 3 ??'. ?' ???  
??? ?????? ??? 3-11-2015, ??? ?????? ?????? ??? ?????????? ??? ?? ?????? 473 ????. 1 ??? 3 ??? ??.

??????????, ??????? ?? ???????????, ???????????, ?? ????? ?? ???????????, ?? ?????? ?? ???????????, ?? ?????? ?? ?????? ?? ?????? ??.

???? ???? ?????????? ??? ?????? 19 ????.1 ??? 4 ??? ?. 2523/1997 "????????????? ??? ?????????? ?????????? ???  
????????? ?????????? ??? ????? ??????????", ????. ?????????????? ?? ? ? ????? 40 ????.1 ?. 3220/2004 ??? 2 ????. 2  
. 3943/2011, ?????????? ?? ??? ?????? ??????? ???????, ?? ?? ??? ????? ?? 11-10-2011 ?????? ??????? ???  
????????? ???????, ?????? ?????? ?????? ?????? ? ??????? ?????????? ????????, ?????? ??? ?????? ??????????  
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?????, ?????????? ?? ??? ????? ?????? ?????????? ?????? (3) ?????.

?? ???, ?? ?? ???? 4174/2013 ?????????? ??????? ?????????? ???????????, ??? ?? ?? ???. 8 ?. 4337/2015 ???  
?? ???. ?????????? ?????????? - ??????? ??????? ?? ?????? 66 ?? 67 ?? ?????????? ?????????? ?? ??????  
?' ??? ?. 4174/2013 ?????????? ?? 72 ?? 73, ?? ?????? ??????? ?????????? ?????????? ?? ?????? ??????  
?? ???. 68, 69, 70, 71, 72, 73, 74, 75 ?? 76 ?????????? ?? 74, 75, 76, 77, 78, 79, 80, 81 ?? 82 ??  
????????? ???. ?? ?????? ?????? ???. ???. ???. ?????? ?????????? - ?????????? ??????????, ?? ?? ?? ??.  
66 ?????????? ???. ???. 17, 18 ???. 19 ???. 1 ???. ?? 20 ???. 21 ???. ?. 2523/1997 ??? ???. ??  
????? ???. ???. ?????? ?????? ?????? ?????????? ?????????? ?????? ?????? 5 ???. ?????? 66, ?? ?:  
????? ???. ???. ?????? ?????? ?????? ?????????? ?????????? ?????????, ?????? ???. ?????? ?????????? ??????????  
????? ???. ???. ?????? ?????? ?????? ?????????, ?????????? ???. ???. ???. ?????? ?????? ??????, ?????????? ??  
????? ???. ???. ?????? ?????? ?????? (3) ?????, ?????? ???. ???. ???. ?????? ?????? ?????? ?????????? ???. ???.  
????? ???. ???. ?????? ?????? ?????? ???. ???. ?????? ?????? 1 ???. 4, ?????? ???. ?????? ?????? ?????? ???.  
?? ???. ???. ?????? ???. ???. ?????? ??????. ??????, ?????? ?????? ?????? ?????? ?????? ??????  
????? ???. ???. ?????? ?????? ?????? ???. ???. ?????? ?????? ??????, ??????????: ?) ???. ?????? ??????  
????? (1) ?????, ?????? ???. ???. ?????? ???. ???. ?????? ?????? ?????? ?????? ?????? ???. ???.  
????? ?????? (75.000) ???. ???. (10) ???. ?????? ???. ???. ???. ?????? ??????

???????????? ?????????? (200.000) ?????. ??? ??? ?????? ??? ?????????? ?????? ??? ?????????????????? ?????????????? ?????????????? ?????????????? ?????????????? ?????????????? 1 ??? 4, ?????? ? ?????? ?????????? ?????????? ??? ?????? ??? ?????????? ?? ?????????? ? ?????????? .  
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?? ?????????? ??????, ?????????? , ?????????? ? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????  
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?? ?????? ?????? ??? ?????? ?????? ?????? ?????? , ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????

? ??????? ?? ?????? ?? ?????? ??????????, ???' ??????, ?? ?????????????????? ???????????, ???? ?????? ?????????? ???  
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??? ?? ?????????? ?? ??????? ???, ?????????? ?? ?????????? ??? ?????????? ??? ?????????? ??? (?????) ??? ??  
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????????? ?????????????? ?? ???????, ?????? ?? ?????????? ??? ?? ?????????? ??? ?????????? ??? ?????????? ???  
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????????? ?????????? ?? ???????, ?????? ?? ?????????? ??? ?????????? ??? ?????????? ??? ?????????? (?????)  
????? ? ?????????? ?????????? ??? (????????? ?? ?????????? ??? ?????????? ?????????? ??? ?????????? ???  
??? ?? ?????????? ??? ??????? ??? ?????????? ??? ?? ?????? ??? ?????????? ??? ?????????? ??? ?????????? ???  
?????????, ??? ?? ?????????????? ??? ??????? ??? ?????? ??? ?????????? ??? ?????????? ??? (?? 224/2016). ??? ?? ?????? ???,

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???????????, ??? ?????????? ?????? ??????.

???? ????? ???? ?????????? ??? ????? ?????????????? ????? ?? ?????? ????? ??? ?????????????????? ?????????????? ??????? ????  
????????????????? ?????????? ???, ?? ?????????????? ?? ?????? ????? ?????????? ??? ?????????????? ??? ?????? ?????????????? ???  
???? ?????? ?? ?????????? ?????????? ?????? ?????? ?????, ????? ?? ?????????? ?? ?????????? ??? ?????? ?????? ?????????? ???  
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???? ?????? ?????????? ?????? ?????????? ?????? ?????????? ??? ?????? ?????????? ??? ?????? ?????????? ??? ?????? ??????????  
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????????? ? ?????????? "... ????" ?????????????? ??? ?????????????? ?? ?????? ?????????? ??? ?????? ??? ?????? ???  
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??? ??? ?????????? ??? ?????????? ??? ?????????? ?????? ?????? ?????? ?????? ?????????? ??? ?????????? ???, ?????????? ???  
????????? ??? ?????? ?????? ??? ?????????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????????? ??? ?????????? - ?? ????,  
????????? ?????? ?? ?????? ?????? ???, ??? ??? ?????? ??? ?????? ?????? ?????? ?????????? ??? ?????????? ??? ?????? 94 ?.,.  
???????, ???? ?? ?????????? ???, ?? ?????? ?????? ??? ?????? ?????? ?????????? ??? ?????? ?????? ??? ?????? ?????? ???  
????????? ??? ?????? ?????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ?????? ?????? ??? ?????? ??? ?????? ???  
????????? ?????? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
??? ??? ?????? ???, ???, ???, ??? ?????? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????????? (?? 388/2016).

????????? ?????????? ??? ???? ?????????? ? ?????????? ?????????? ? ?????????? ? ?????????? ?????????? ? ?????????? ?  
????????? ??????????, ?????? ??? ?????? ?????????? ?????????? ???????, ??? ? ?????????, ?) ?????????????? ?? ??????????  
??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? 2. ??????????????????  
?????, ??? ???? ??? ?????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????  
????? ?????????????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? 3. ??????  
????????? ?????? ?????? ?????????????? ??? ???? ?????????? ?????? ?????? ?????? 1 ?????????? ?? ?????? ?????? ?????? ??????  
(2) ????: ?) ??? ???? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????  
????????? ?????????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? (100.000) ??? ???? ??? ????  
?????, ? ?) ?? ???? ?????? ?????? ??? ???? ?????? ?????, ?????? ? ?????? ?????? ??? ???? ?????? ?????? ? ??????????  
????????? ? ?????????? ? ?????????????? ? ?????? ?????? ?????????????? ?????? ?????? ?????? ? ?????????????? ? ??????????????  
????: ??) ??? ?????? ?????? (50.000) ???, ?????? ?????? ?????? ?????? ?????? ?????? ??? ??) ??? ???? ?????? ??????  
(100.000) ??? ???? ?????? ???, ?????? ? ?????? ?????? ?? ?????? ?????? ?????? . 4. ?????????? ?????? ?????? ?? ? ????  
?? ?????, ?????? ? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ??? ???? ?????? ?????? ? ?????????????? ???  
?? ???? ?????? (100.000) ???, ?????? ?????? ?????? ?????? ?????? ?????? , ? ??? ???? ?????? ?????? ??????  
(150.000) ??? ???? ?????? ?????? ?????? ?????? , ?????? ? ?????? . 5. ?????? ?????? ?????? ?????? ? ??????  
????????? ?????? , ?????? ??? ?????? ?????????? ?????? ?????? ?????? ?????? ?????? ?????? ? ?????? ?????? ?????? ??????  
????????? ??? ? ? ?????? ?????? ? ?? ??? ?????? ?????? , ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? (3)  
????, ?????? ??? ? ? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????  
?? ???? ?????? ???? ?????? 1 ??? 4, ?????? ? ?????? ?????? ?????? ?????? ??? ???? ?????? ?????? ???? ?????? ?  
?????????. ??????, ?????? ?????? ? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????  
????? ??? ? ???? ?????? ?????, ??????????: ?) ?? ?????? ?????? ?????? ?????? ??? (1) ?????, ?????? ? ?????? ??????  
?? ?????????? ?????? ?????? ?????? ?????? ?????? ?????? ?? ??? ???? ?????? ?????? ?????? ?????? (75.000) ??? ???? ? ?) ??  
????????? ??? ???? (10) ???, ?????? ?? ? ???? ?????? ?????? ?????? ?????? ?????? ?????? (200.000) ????. ??? ????  
????? ??? ?????? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ???? ? ???? ??????  
?? ???? ?????? ?????? ??? ???? ?????? ??? ?????? ?????? 1 ??? 4, ?????? ? ?????? ?????? ?????? ?????? ??? ????  
????????? ?? ?????? ?????? ? ??????????".

? ?????????? ??? ??? ????? ?????? ?????? ??????????????????, ??? ???? ?????? ??? ?????? 2 ????. 1 ??, ??? ???????????????  
??? ?????? 19 ????. 1 ??? 4 ??? ?. 2523/1997, ??? ???? ? ?????? ? ? ?????? ? ? ?????? ?????????? ??? ??????  
????????????? ?????????? ?????????? (????????????? ????) ??? ???? ???? ???? ?????????? ??? ??????  
????????? ??????. ?????? ??????, ??? ???? ?????????? ??? ?????????? ??? ???? 514 ??? 511 ???. ????. ??????,  
?????????, ??? ???? ??????, ??? ???? ??? ?????????? ??? ?????????? ??? ??????????????, ?????????? ??  
????????? ??????, ??? ???? ??? ?????????? ??? ?????? ??? ?????????? ?????? ??? ???? ?????????? ?????? ???  
?????????, ?????? ??? ?????????? ??? ?????????? ???' ?????? 2 ????. 1 ??? ?, ?? ???? ??? ?????? ??? ???? ??????  
????? ??? ???? ?????? ?????????? ??? ?????? ??????????, ?????????? ??? ???? ?????????? ??? ???? ?????????? ??????  
????? ???? ?????? ?????????? ??? ?????? ??????????, ?????????? ??? ???? ?????????? ??? ???? ?????????? ??????  
????????? ??? ???? ?????? (???? 3/1995).  
?? ?????????? ??? ???? ??? ?????? ??? ?????? 2 ????. 1 ?? ?????????? ???????, ? ??????, ??? ??????, ????????  
??? ?????????? ??? ???? ?????????? ?????? ???????, ?? ???? ??? ?????????? ??? ???? ?????????? ??? ????  
????????? ?????? ?????????? ?????? ?????????? ?????? ?????????? ??? ???? ?????????? ?????? ?????????? ???????.  
????? ?????? ?????? ?????? ??? ?????????? ?????? ?????? ?????????? ??? ???? ?????????? ??? ???? ??????????  
??? ?????? ??' ??????. ??? ???? ??? ?????? ?????? ??? ???? ??????????????, ??? ???? ??????????, ??????????  
?? ???? ??' ?????? ??? ??????, ??? ?????????? ?????? ??? ???? ??? ?????? ??? ???? ?????? ??? ???? ??????,  
????????? ???? ?????? ?????? (?? 39/2015).

???????????? ?????? (3) ????? ??? ?? ??????? ????? ?? ??????????? ?????? ??? ????????, ?????? ????????, ?????? ???  
???????????? ??? ?????? ??? ?? ?????? ??? ?????????? ?????? ???????????, ?? ??????? ?????? ??? ????????, ??? ?????????????? ???  
????????? ???????????, ??? ?? ??? ?????? ??????????? ??? ?? ????? ?????????????? ????????, ??? ?????????????????? ??? ??  
?? ?????? ???????, ???' ?????????? ???, ??? ?? ?????? ??? ?????? ??? ?????????????????? ???????????, ??? ?? ?????? ??? ??  
??? ?????????????? ?????????? ??? ?????? 66 ????. 5 ???. ?' ??? ?. 4174/2013, ??? ???. ?????? 511 ???. ?' ??? 514  
???. ?' ??? ??., ?? ?????????? ? ??????? ?? ??????? ?? ??????? ??????, ?????? ?????? ??? ???????????, ?????? ??????????? ??  
????? ?????????? ? ?????????? ?????? ???????, ??????? ?? ?????????? ?????? ?????????? ???????, ?????? ???????????  
??????????, ?? ?????????????????? ??????? ??? ?? ??????? ? ??? ?????????? ?????? ???????, ??? ?? ??????????  
??????????, ??? ?????????????? 1 ??? 4 ??? ?????? 66 ?. 4174/2013 ??? ?? ??????? ?????? ??????? ??????? ????????

???? ???? ???????????????, ? ?????????????? ??? ??? ?????????? ??? ?????? 93 ????. 3 ??? ?????????????? ??? 139 ???  
?????? ?????? ??? ?????????????????? ?????????????? ??? ?????????????? ??????????, ? ??????? ??? ?????? ??????????  
??? ?? ??? ?????? 510 ????.1 ??????. ?' ?????? ??? ???????????, ?????????? ?? ?????? ??? ?????? ?? ??? ????.  
??????????, ??? ?? ??????????? ??? ????? ?????????????? ??? ??? ?????????????? ? ??? ??????????? ??? ???????????  
??????????.

??? ??? ?????????????????? ??? ?????????????? ?????????????? ??? ?? ?????????? ?????? ??? ?????? ??? ?????? ??? ?? . ?' ???  
???. 2 ??? ?????? ?? ???. ?????? (84 ??), ?????????? ? ?????????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
?? ?????? ?????? ?? ?? ?????????? ??? ?? ??????, ??? ?????? ?????? ?????????? ??????, ?????????? ??? ?? ?? ??  
????????? ?????? ?????? ??? ?????? ??? ?? ?????????? ??? ?? ?????????? ??? ?? ?????? ??? ?????? ??? ?? ??  
????????? ??? ?? ??????, ??? ?? ?????? ??? ?????? ??? ?????? ?????? ?????? ??? ?? ?????? ??????????, ?? ?????? ???  
????????? ??????, ??? ?????? ??? ?? ?????? ??? ?????? ?????? ?????? ?????? ??? ?? ?????? ??? ?????? ??? ??  
????????? (?) 295/2015). ? ?? ?????? ??? ?????????? ??? ??????, ??? ?????? ?????? ?????????? ?????? ??? ??  
?????? ??????, ??? ?????? ??? ?? ?????? ?? ?????? ??? ?????? ?????? ?????? ?????? (?) 453/2016). ????????, ???  
?? ?????????? ??? ?????????? ?????? ?????? ??? ?? ?????? 84 ????. 2 ???. ?' ??? ??, ??? ?? ?? ??? ? ?????? ???  
????????? ?????? ??? ?????? ?? ?????? ??? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ???, ?????? ?? ?????????? ???  
????????? ??? ?? ??? ?? ?????? ?????????? ??? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ???

?????????????? ???????????, ?? ????? ??????? ??? ?? ???? ????? ?????????? ?????????? ?????????? ??? ??  
?????????????? ?? ??? ? ?? ??????? ??? ?????????? ??? ??????? ???, ????? ?? ?????? ? ??? ?????????? ?????????? (??  
1192/2016), ? ??? ? ?? ??????? ??? ?????????? ??? ??????? ???, ??? ?????? ?? ??? ?????? ??????????, ??  
?????????? ?? ??? ?????? ??? ?????????? ??? ??????? ??? ?????????? ??? (?) 951/2012 ??? ?????). ?? ??? ?  
?????????? ?? ??? ?????????? ??? ?????????? ??? ??????? 84 ??? .2 ?? .?' ??, ?????????? ?????????? ??? ?????? ???  
????????? ?????????? ??? ?????????? ?????????????? ??? ?????????, ?? ?????????? ?? ?????? ??? ?????? ?????????? ???  
????????? ??????, ??? ?????? ?????????? ??? ?????? ?????? ?????????? ?????? ??? ?????????? ?????, ?? ?????????? ??????????????  
????????? ??? ?????? ??? ?????????? ?????????? ?????????? ?????????? ?????? ??? ?????????? ?????? ??? ?????? ??? ?????????? ???  
????????? ??? ?????? ??? ?????????? ?????????? ?????????? ??????????. ????, ?????? ??? ?????????????????? ???  
?????????????? ??? ?????? ??? ?????????? ?????????? ??? ?????????, ??? ?????????? ??? ??? ?, ??? ??? ??????????  
??????????, ??????? ?? ??????? ??? ??????? ??? ??????? ??? ?????????, ??? ?????? ??? ?????????????? ??? ?? ???  
?????????????, ? ??? ? ?? ?????? ?????????? ??? ?? ??????? ??? ?????? ?????????????? ??? ??? ?????, ???  
????????????? ?????????? ?????????, ?????? ??? ??????? ??? ?????????? ??? ?????????? ?????????? ?????????? ??? ??? ?????  
????? ??? ? ?? ??????? ??? ??????? ??? ?????? ??? ?????????? ??? ?????????? (?? 69/2013 ??? ??????).

???? ??????????? ??????????, ??? ?????????? ?? ?????? ?????? ??? ?????? ?????? ??? ?????? ?????? ?????????? ?  
?????????????? ???????, ?? ?????? ??? ?????????????? ?? ?????? ?????? ?????? ??????????? ??? ???????????, ? ??????????  
????????????? ??? ?????????????? ??? ?????? ???????????????, ??? ??? ?????? ? ??????????? ???????????, ???????  
????????? ??? ??????? ?????????? ??? ?????? ??? ?????? ??? ?????????????? ???????????, ??? ???, ??? ??????,  
????????? ?????????? - ??????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ??????????? : "?"  
?????????????  $\mu$ ? ??? ?????? ?????? ??? ?????? ??? ?????? - ??????? ??? ?????? ??? ?????? ??????????? ???  
????????? ??? ??????????? ??????????? ??? ??????????:

2) ????? ??????? ??????????, ??? ?? ???? ??????????????, ??? 19-3-2012 ?????? ???, μ? ?? . ????.. /2012,  
????????????? ??? ?????? ?????? ?????????? ??? ?? ??? ????? ?????????? ?????????? (??? ??? ?' ??? ...), ??????? ???  
????? ??????????, ??? ?? ?????? ??? ?? ?????? μ? ????, ?? ???? ???? ?? ?????? ??? ?????????? ??? ?????????? ???  
????? ???, ?????????? ??? ?????????? ?????? ??? ?????????? ??? ?? ?? ??? ?????? ?? ?????????? ?????? ???  
?? ?????? ??? ?? ?????? ?????????? ??? ?????????? ??? ?? ?????? ?? ?? ?????? ?? ?????????? ?????? ???

4) ??????? ???????????, ??? ??? ?????????????? 25 ??? μ? ??? ???????? ??? ?. ., μ? ??? ????? ?????????? μ?? ??? ??? ????. . ., ??????? ?????? ?????? ?????? (12) ??? (???? ??? ????? ?????????? ??? ?? ?????????????????? μ? ?? .????.... 19-9-2012  
????????????????? ?????????????? ?????? ... ??? ? ?????? ?????????? ??? 18-11-2001 (???.?????.??????.  
??? ??.... /2001 ??????????? ?????? ?????????? ??? ?????? ...), ??? ?????? ?????????? ??? ?????????? ??? ?????? ???  
?????????, ?????????? ?????? μ? ??? ?????????? ??? ?????????? ??? ?????????? ?????? ???, ?????? ??? ??????  
????? ??? ?????? ??? ?????????? ?' ??? ?????? ??? ?????? ??? ?????? ?????????? ???.  
5) ?????? ??????.. ??? ?????? ?????????? ??? ??? ?????????? ??? ?????? ?????????? , ??? ?????????? ?? ??????????????  
????????????? ??? ??? ?????? ?????????? ??? ??? ?????? ?????? ?????? ?????????? ?????????????? . ?????? ??????  
????????????? , ?????????? ??? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ?????? . ?????? ??, ???  
??? ??? ?????? ??? μ????? ?????????? , ?????????? ??? ?????? ?????????? ??? ?????? ?????? ?????????? ??? ?????? ??????????  
????? ??? ?????? ?????????? , ?????????? ??? .???. ?????? ?????? ?????????? , ??? ?????? ??? ?????? ?????? , ??? ??  
????????? ??? ?????????? ??? ?????? ?????? ?????????? ?????? , ?? ?????????? ?????? ?????????? ?????? ?????????? ???  
????? ?? ??? ?????????? ??? ?????? ?????? ?????????? ??? ?????? 84 ??? .2 ?' , ?' ??? ? ' ??? ??, ??????  
????????? ?????? ?????????? ??? ?????? ?????? ?????????? ??? ?????? ?????? ?????????? ??? ?????? ?????????? , ??? ??  
????????? ?? ?????????? ??? ?????? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ???  
????? ??? ??? ??? ?????? ??? ?????? ?????? ?????????? ?????? ?????? ??? ?????? (?) ?? ??????) ???  
????????? ??? ?????? ??? μ? ??? ?????? ?????? ??? ??? .????????? -??? ??? ?????????? ?????? ??? ??????  
????????? ??? ?????? ?????? ??? ?????? ?????? ?????????? ?????? ?????? , ??? ?????? ??? ?????? ?????? ?????? ???  
????????? (?? 1003 j 2003 ????. ??? 2003? 1097).

????????????? ?? ??? ???? ?????? ?????????? ?? ???? ?????????? ?????????? ?? ???? ?????????????? ... ?????? ??????????  
????????????? ?? ???? ?????????? ?????????? ?????????? ?????? ?????? ?????? ?????????????????? ?????? ??? ???? ??????????  
????? ?????? ?????? ??? ?????? ??????????. ????????, ?????? ?????, ?????? ?? ?????????? ??? ???? ?????? ??????  
???? ?????????? ?????????? ??? ?????????? ?????? ?????????? ?????? ??? ?????????? ??? ???? ?????? ??? ????  
????????????? ?????????? ??? ?????? 84 ??? .2?. ?, ? ??? ???? ?, ??????? ?????????? ?????????? ??????????  
????????????? ??? ?????????? ?? ??? ?????? ???????????, ???, ??????, ?????? ??? ?????? ?????? ??? ???? ??? ????  
????????? ?????? ?????????? ?????? ?????????? ?????????? ??? ?????????? ?? ?????????? ??? ?????????? ??? ???? ?????? ???  
????? ?? ?????????? ??? ?????? ?????? ?????????? ??? ?????? ??????, ??? ?????? ??? ?????? ??? ?????? ??? ????  $\mu$ ? ???  
????????? ?????? ?? ?????????? ?????? ?????????? ??????, ???? ?? ?????? ??? ?????? 83 ??? ?????? ?????? ?????? . ????".  
?? ?????????? ?? ??? ?????????? ?????? ?????????? ??? ?????? ??? ?????????? ?????? ?????????? ??? ???? ?????? ???  
????????? ?????? ?????????? ?????? ?????????? ??? ?????? ?????????? ?? ??? ??? ???, ??? ?????, ?????????? :"?????  
????????? ?????? ??? ?????? ?????? ?????????? ??? ?????????? ??? ?????? ?????? ??? ?????? ?????????? ??? ???? ??????????  
????????? ??? ?????? 84 ??? .2?. ?, ? ??? ???? ???? ?????????? ??? ?????? ??? ?????? ?????? :

???? ? ?? ?????????? ??????????? ?? ???? ???? ???? ?????? ?? ???? ?????????????????? ?????? ?????? ?????????????? ???  
????????? ?????????? ??????, ??????? ?????? ?????? ?????????? ??? ???? ( ? ?? ?????????? ??????????) ??????  
????????? ??? ?????????????? ?????????? ?????? ?????? ?? ?????? ?????????? ?????????? ?? ?????????? ??????  
????????????? ??? ?????????? ??? ?????? ??? ?????? ?????????????? ?????????? ".

????????????, ?????????????????????????? ?????? ?????? ???, ?????????? ?? ??? ?????????????????? ?????????? ??? ?  
????????????? ??? ??????? ????????, ?????????? ?? ??? ?????????????? ??? ?????????? ??? ?????????????? ?? ???  
????????????? ??? ?????????? ?? ?????????? ?????????? ?????????? ??? ?????????? ??? ?????????? ??? ?????? 84 ??? .2 ???. ?' ???  
?? (?)????? ?? ??????? ?????????? ?????????? ? ?????????? ?????????? ??? ?????????? ??? ???????. ?' ??? ?? ?????? ??.  
?' ??? ?.2 ??? ?????? 84 ??? ??) ??? ?????????? ??? ??? ?????????? ?????????? ??? ?????????? ??? ?????????? ???  
????? ??? ?????????????????? ?????????? ??? ?????????? ?` ????, ?? ?????????? , ?????????? ??? ?????? ?????????? ?  
????? ????, ?? ?????????? ?????????? , ?? ?????? ?????????? ??? ??? ?????????? ??? ?????????? ??? ?????? ??  
????? ??? ?????????? ??? ?????? ??? ??? ?? ?????????? ??????????.

????????? ??????????????? ????? ?????????? ?????? ?????????????? ??? ?? ??? ????????????????, ??? ?????????? ???  
????????? ??? ?? ??? ?????? 510 ????. 1 ??????. ?' ??? ?? ?????????????? ?????? ??? ?????????? ??? ?????????? ??? ?? ??????????  
????????? ??? ?????????????? ?????? ??? ?? ??? ?????? ?? ????????, ??? ?????????? ??? ?? ????????  
?????? ??? ?????? ?????? ????????????, ??? ?????????? ??? ??????????.-

???? ?????? 82 ????. 1 ??? 3 ??, ????? ?????? ?????????????????????? ??? ???. 1 ??? 2 ??? ?????????????????? ??' ????.  
????????? ??????? ?. 4093/2012 ?????????? ?? ??? : "1. ... ? ?????????????? ??? ?????????????? ?????? ??? ??????  
????????????? ??? ??? ??? ??? ??? ?????????? ?? ??? ?????? ?????????????? ?? ?????????? ????, ?????? ?? ?? ??????????  
?? ??????? ??? ?????? ?????????????? ?????? ??? ?????????? ?? ?? ?????????? ??? ??? ?? ?????????? ?? ??????? ??  
??? ?????? ?????? ?????????? ???...3. ??? ?????? ?????????? ?????????? ?? ??? ??? ?? ?????? (5) ??? ??  
????? (100) ??? ... ?? ?????? ?????? ??? ???????, ???????????, ??? ?????????? ??? ?????????? ?????????????? ???  
????????????? ?????? ?? ?????????????? ?? ?????????????? ??? ?????????? ??? ?????????????? ??? ??????????????  
???????".

????? ??? ?????? ??? ??????? ??????????, ?? ?????????????? ??? ?????????? ?????, ??? ?????? ?????? ??? ??? ????  
??? ??? ?????????? ?? ????, ? ???? ?????? ?????????? ?? ??????????, ?????? ?? ?? ?????????? ?? ??????  
????? ?????????? ?? ??? ?????? ??? ?????????? ?? ?????????? ??? ??? ?? ?????????? ?? ?????? ??? ??? ????  
????? ?????????? ?? ??? ?????? ??? ?????, ??? ?????????? ?? ?????? "????????????? ??? ?????????? ??? ?????",  
??? ??? ? ??? "?????????", ??? ??? ?? ??? ?????? ??? ?????, ?? ?????? ?????????? ??? ?????? 3727/2008 ??? ???? 16  
?????, 3772/2009 ??? ?????? ????. 3 ?????? ??? 3811/2009 ??? ?????? 26 ??????, ?? ?????? ?????????? ??  
????? ?????? ?????? ??? ?????????? ??? ?????????? ?????? ??? ?????? ?????????? ?????? ???,  
????? ?????? ?????? ??? ?????????? ??? ?????????? ?????? "????????? ??? ?????? ?????????? ?????? ???  
??? "????????? ??????".

??????, ?? ?????? ?????? ??? ?????? ??? ?? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?????????? ???  
????? ?????? ? ?????????????? ??? ?????????????? ??? ?????????? ??? ?????? ??? ? ?????? ??? ?????????? ???  
????? ?????? ??? ?????????? ????, ? ?????? ??? ?? ?????????? ???, ??? ?????????? ?????????????? ?????????? ???  
????? ?????? ??? ?????? ??? ??????, ??? ?? ?????????? ??? ?????????? ?????? ?????????? ?????????? ??? ???? ????  
(????? 83 ??????. ?' -?')?. ??? ?? ?????????? ??? ??????, ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????? ?????? ??? ?????? ???, ??? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????? ?????? ??? ?????? ??? (? 454/2016). ?? ??? ?????? ??? ?????????? ??? ?????????? ??? ?????????? ???  
????? ?????? ??? ?????? ??? ?????? 82 ????. 1 ??, ??? ??????. ?? ??? ?. 4093/2012, ?????????? ???  
????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? (5) ????, ? ?????? ?????? ??? ?? ??????  
??? ?? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ?????????? ??? ?????????? ???'  
????? ?????? ??? ?????? ??? ?????? ??? ?????? ?????????? ??? ?????? 150.000 ????, ?????????? ??? ??????????  
????? ??? ?????? ??? ?????? ??? ?????? (241.980) ????. ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? (???.  
23), ? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????? ?????? ??? ?????? 82 ????, ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
??? ?????? ??? ?????? ??? ?????? (5) ????.

????, ?????? ?? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????? ????,  
????? (?????) ?? ??????.

??????, ?? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? 82 ????. 1 ??, ???  
????? ????. ?? ?? ?????? ????. ??' ???. 1-2 ?. 4093/2012, ?????????? ??? ?????????? ??? ?????? ???  
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