

**Prof. dr Duško Medić**

**Judge of the Constitutional Court of the Republika Srpska and full professor of the Faculty of Law of the Paneuropean university,, Apeiron” Banja Luka**

## **THE REAL OWNERSHIP LAWSUIT FOR THE RETURN OF THINGS**

### **Summary:**

A third party may infringe someone's property right by confiscating property from the owner or unlawfully harassing the owner in another way. The content of the property claim depends on what the property violation was. The right to property is protected by property lawsuits. The Law on Real Rights of the Republika Srpska recognizes a property lawsuit for the return of property, then a lawsuit from the presumed property and a lawsuit for interference or harassment. A property lawsuit for the return of things is the most important lawsuit for the protection of property. It is a real property lawsuit, a petition lawsuit par excellence. In order to exercise the right to return the thing, the owner must prove in litigation that the thing claimed is his property and that the thing is in the legal tenure of the defendant. Likewise, he must describe the disputed thing by its characteristics or signs by which it differs from other things of the same kind.

**Keywords:** property, tenure, return of things