

Dropping Administrative and Civil Lawsuits According to Provisions of the Jordanian Legislation: A Comparative Study

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Abstract

The current study addresses the issue of dropping administrative and civil cases, highlighting common points of the case dropping in the Administrative Judiciary Law and the Code of Civil Procedure. The specificity of these cases is identified according to the judicial rulings and the jurisprudential views. The most prominent administrative lawsuit cases are the absence of one or both of the parties of the lawsuit, the withdrawal of the administrative decision, or its cancellation by the administration during the consideration of the administrative lawsuit. Regarding civil lawsuits, the most prominent drop cases are the non-attendance of the plaintiff or the guardian to the trial session or the failure to follow up on the lawsuit, cases of agreement of the parties of the lawsuit drop, and many other related cases.

Keywords: *Administrative lawsuit, civil lawsuit, dropping, judiciary law.*

1. Introduction

The legal rule is considered a binding rule because it contains procedural penalties. The procedural penalty represents the legal effect resulting from the procedural violation of the legal model determined by the procedural rule. If any of the conditions are not met, the act is considered to violate the provisions of the law and is outside the framework of the correct procedural actions to fall under the defective procedural actions, imposing one of the procedural penalties, including the case dropping. Within the present study, cases of dropping each of the administrative and civil lawsuits are expounded per the Jordanian legislation. Against this, the literature review relating to the research is provided in the next part.

2. Literature Review

Now that there are no studies related to cases of dropping administrative and civil lawsuits under the provisions of the Jordanian legislation in comparison, the present study is the first step and attempts to be a reference for future research in this field. Another important point is that little to no studies have been done to speak of cases of dropping administrative and civil lawsuits in the Arab region, chiefly in Jordan.

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3. Research Problem

Given the scarce studies and literature related to cases of dropping administrative and civil lawsuits, the research problem demonstrates the insufficiency of legal references that regulate drop cases of administrative and civil lawsuits compared to each other and the lack of any specialized study to explain the drop cases of administrative lawsuits. Besides, this study is the first attempt to distinguish between drop cases of administrative lawsuits "claim of cancellation" in comparison with civil lawsuits in detail.

This study also aims to answer lingering questions in the minds of jurists and researchers about drop cases of administrative lawsuits compared to civil lawsuits, as follows: Are drop cases mentioned in the Code of Civil Procedure the same as the drop cases mentioned in the Administrative Judiciary Law? What is the legal position if the administrative judge does not find a drop case in the administrative cases? Does the judge refer to the provisions of the Code of Civil Procedure? And are the cases mentioned in the Administrative Judiciary Law exclusive? With that being said, all these questions representing the research problems are the focus of the present study.

4. Research Questions

Given the research problem, the following research questions shall be answered through the present study under the provisions of Jordanian law:

1. What are the dropping cases of the administrative cases?
2. What are the dropping cases of civil lawsuits?
3. Is there a similarity in the dropping cases of the administrative lawsuits compared to the civil lawsuits in Jordanian law?

5. Research Significance

The significance of the present study lies in examining the dropping cases of the administrative lawsuit, such as cancellation compared to the civil lawsuit referred to by the legislator within the provisions of the Administrative Judiciary Law No. 27 of 2014 and the Civil Procedure Law No. 24 of 1988 and its amendments, specifying the dropping cases of the administrative and civil lawsuits. The significance of the present study is also reflected in explaining these cases and the difference between the authorities of the administrative judge to drop the case compared to the authority of the civil judge. Another key point about the present research is that it studies cases of dropping administrative and civil lawsuits by analyzing the legal texts regulating this issue.

6. Method

The applied analytical approach is adopted by analyzing legal texts in each of the Administrative Judiciary Law No. 27 of 2014 and the Civil Procedure Law No. 24 of 1988 and its amendments, how to apply these texts, and the powers of the judge to rule in dropping the case under the two mentioned laws.

7. Discussion

The scope of the present study is limited to examining the dropping cases of the administrative case compared to the dropping cases of the civil case by studying these two laws carefully to explain these cases following the provisions of Jordanian law, which includes legal texts that show these cases in detail. This discussion is divided into

three sections as follows: The nature of case dropping, revocation cases, and cases of dropping the civil lawsuit.

7.1 The nature of case dropping

Instituting a lawsuit from the outset necessitates the availability of the capacity for litigation regulated by the provisions of the Jordanian Civil Code (Al-Jubouri, 2011; Al-Fatlawi, 2014). The Jordanian legislator has specified the dropping cases of the administrative lawsuit represented by the claim of annulment as specified in the cases of dropping the civil lawsuit through the texts of the articles that regulate these cases. In this section, a distinction between administrative lawsuits “the annulment lawsuit” and civil lawsuits can be as follows:

7.1.1 Dropping the Administrative Case

The order to drop the annulment lawsuit is considered one of the penalties decided by the Administrative Court according to a text in the law as a result of negligence and failure to follow up on the lawsuit filed before the Administrative Court, leading to considering the case as if it does not exist. In this case, the court issues its decision as a form of punishment against the plaintiff who is not serious in the case and provides an opportunity for those who pursue their case seriously.

It must be noted that dropping the case does not entail dropping the claim for the right subject of the case (Radhi, 2021). The dropping is represented by the decision issued by the court if one of the cases stipulated by the Jordanian legislator is available through the provisions of the Administrative Judiciary Law No. 27 of 2014, stipulating that the administrative judge issues a decision to drop the lawsuit, provided that this does not prevent its renewal (Administrative Court Judgment No. 430, 2022).

As a general principle, the administrative judge considers the case if the plaintiff is present therein until the judge issues the final decision, which holds the authority of the ruling, except that the plaintiff may apply for its renewal by the provisions of the law (Article 17, Jordanian Administrative Judiciary Law, 2014).

More importantly, it should be noted that the judge’s decision to drop the case does not lead to the judgment acquiring the authority of the ruling (Al-Rawashdeh, 2020). The lawsuit is considered a penalty decided by the law as a kind of punishment for the plaintiff in the cases decided by the law. However, the penalty does not prevent the renewal of the lawsuit and thus the possibility of hearing the lawsuit before the same judge who issued the decision to drop from the point the lawsuit reached before dropping (Al-Qubailat, 2022).

7.1.2 Dropping the civil lawsuit

Plenty of cases of civil lawsuits are available in the courts. Several cases are decided by the judge based on the request of the plaintiff. In this case, dropping is not considered a punishment for negligence or failure to follow up the lawsuit if the plaintiff requests it. This means that the case dropping is in agreement with the defendant, where the request to drop the case by the defendant may be a result of the availability of one of the cases stipulated in the Code of Civil Procedure. It is a kind of penalty and punishment for the plaintiff who neglected to follow up on his or her case seriously or from what was included in the cases decided by the Jordanian Civil Procedure Code (Al-Zoubi, 2010). In this regard, a distinction is made between the two types of revocation according to the following:

a. Objective revocation

It is defined as the revocation falling on the objective right, which leads to the revocation of the right to claim it and the definitive fall of the lawsuit related to it, which results in the inability to renew it, in addition to the inability to file a lawsuit with the same subject,

reason, and parties, whether a revocation occurs during the examination of the case or before (Al-Rawashdeh, 2020). Objective revocation is an example of what was stipulated in Article 444 of the Jordanian Civil Code, which states that if the creditor, discharges his debtor choosing from his right over him, the right forfeits and the obligation lapses (Article 444, Jordanian Civil Law No. 43 of 1976).

What is more, the creditor's discharge of his debtor must be based on an existing right, not a future right, which is stipulated in Article 446 of the Jordanian Civil Code, which states that a discharge is only valid for an existing debt, and is not permissible for a future debt (Article 446 of the Jordanian Civil Code No. 43 of 1976). As gleaned from the aforementioned texts, the plaintiff may request the competent court to drop the lawsuit as a result of dropping their right from the defendant or because of his unwillingness to claim the defendant and pursue the lawsuits against him, which is the matter upon which the court may drop the lawsuit permanently.

b. Procedural Revocation

As a legal term, procedural revocation is defined as the "Revocation that focuses on the set of procedural actions that make up the judicial litigations without affecting the objective rights themselves or the right to claim them" (Al-Rawashdeh, 2020, p.1). However, it does not prevent the plaintiff whose lawsuit is dropped from renewing the lawsuit and claiming the same right, as the judge, according to their decision to drop the lawsuit, does not make jurisdiction over the same lawsuit exhausted, but they may consider the same lawsuit previously dropped.

The process of dropping the lawsuit is also divided into a temporary drop, which is the case in which the plaintiff has the right to renew the lawsuit. Concerning the final drop, it is not permissible to renew the lawsuit, but that does not prevent the plaintiff from filing a new lawsuit with the same subject and the same parties at times, as the final drop cannot be considered procedural. In this case, such as the settled case, if a decision is issued by the competent court to drop the case permanently, this dropping is procedural. Also, if the plaintiff files a new lawsuit to claim the same right and the defendant submits a request to dismiss the lawsuit on the grounds of the closed case, the judge issues the required decision to reject the request. The revocation, even if it is final and related to the procedures and not to the right itself, which is the subject of the case, cannot be considered a settled case (Al-Qudhat, 2020).

7.2 Revocation Cases

Now that issuing judgments of the lawsuit can only be according to a text in the law, the judge may not use his authority to drop the lawsuit without the presence of a legal text permitting it. Cases allowing the Jordanian legislator and the judge to drop the lawsuit differ from administrative lawsuits and civil lawsuits, as each lawsuit has the specificity that distinguishes it. Therefore, the Jordanian legislator decided, according to that specificity, to make the cases in which the lawsuit is dropped in the administrative lawsuit differing from those that lead to the dropping of the civil lawsuit. This is due to the different nature of each lawsuit from the other, although these cases may be similar at times. These cases are addressed as follows:

7.2.1 Cases of dropping the administrative lawsuit

To begin with, it should be noted that the law regulating the dropping cases of the administrative case is the Jordanian Administrative Judiciary Law No. 27 of 2014. Those cases are mentioned according to the nature of the administrative case. By extrapolating these cases, it is found that the Administrative Judiciary Law mentioned these cases and sometimes referred them to the Procedure Code by the nature of the administrative judiciary (Al-Ajarma, 2022). This is stipulated in Article (41) of the Administrative Judiciary Law, stating "In cases other than those stipulated in this law, the provisions of the Civil Procedure Code shall apply in a manner consistent with the nature of the

administrative judiciary". Referring to dropping cases of the administrative lawsuit, they happen in any of the following cases:

First: Failure of the plaintiff's representative to attend the date specified for hearing the case, or his failure to attend any of the trial sessions. The first dropping case is if the plaintiff's representative does not attend the date specified by the court, or if the plaintiff's representative does not attend any of the trial sessions. In these two cases, the Jordanian legislator has permitted the judge to decide to drop the case, following the text of paragraph A from Article 17 of the Administrative Judiciary Law No. 17 of 2014, stipulating "If the plaintiff's attorney does not appear on the date specified for the consideration of the case or fails to attend any of the trial sessions, the Administrative Court may decide to drop the case". In this case, it is permissible to renew the lawsuit within a period not exceeding thirty days for one time starting from the day following the date of dropping the lawsuit and after paying the legal fees in full.

In this case, if one of the two cases mentioned in paragraph A of Article 17 is fulfilled, the administrative judge may decide to drop the lawsuit, and if the judge drops the lawsuit, this does not prevent the attorney of the plaintive party from renewing it after paying the legal fees in full, within a period not exceeding thirty days starting from the day following the date of dropping the lawsuit, provided that this renewal is for one time only. The lawsuit may not be renewed if it is dropped twice for the two reasons mentioned in Article 17/A of the Administrative Judiciary Law.

Concerning the penalty resulting from the failure of the representative of the defendant to attend any of the trial sessions, this means that the trial of the defendant may be conducted in the presence, but if he attends any of the trial sessions, this means that the trial of the defendant may be conducted in legal presence (Administrative Court Judgment No. 262/2018). The defendant or his representative is not entitled to attend the session if it is set for adjudication if he is absent from attending the previous sessions of the verdict pronouncement session, according to the text of Article 17/b of the Administrative Judiciary Law, stipulating "If the plaintiff's representative does not attend any trial session, the Administrative Court may decide to conduct the trial in the presence of a legal person if he has attended any of the trial sessions and to issue its ruling in the case. Their presence shall not be accepted later if the case is prepared for issuing judgments.

Accordingly, the ruling differs according to the party absent from attending the trial sessions. If the person who is absent from attendance is the attorney of the plaintiff, this allows the administrative court to drop the case. However, if the person who is absent from attendance is the representative of the defendant, this leads to the possibility of being tried in the presence or legal presence, as the case may be.

7.2.2 Non-attendance of the two parties of the case

The first case mentioned within the cases of dropping the administrative case deals with the party in which the plaintiff's attorney is absent and the representative of the defendant is present, or in the case of the presence of the defendant's attorney and the plaintiff's attorney is not present. Regarding the second case of dropping the case, it is represented if the two parties of the case do not appear together. In this case, the administrative court has a choice between postponing the case and setting another date for its consideration. It may also decide to drop the case by the provisions of Article 17/C of the Jordanian Administrative Judiciary Law, stipulating "If none of the parties to the case appears, the Administrative Court may postpone the case or drop it".

As gleaned from the previous text, if the administrative case attorneys fail to appear, the administrative judge has the choice between postponing the case to another date to allow the case attorneys an opportunity to appear before the court in the next session, or the court decides to drop the case.

7.2.3 Dropping the case for failure to follow up

Failure to follow up indicates that the plaintiff's attorney does not follow up on the case by not asking about it and knowing the date of its consideration (Judgment of the Jordanian Supreme Administrative Court 220, 2016). The principle is that whoever files a claim or appeal must file by constantly questioning as a kind of seriousness. Otherwise, Article 17/D of the Administrative Judiciary Law arranged the penalty for not doing so, stipulating "If the plaintiff or their representative could not be notified and did not appear to the Administrative Court within sixty days from the date of submitting the appeal, the Administrative Court may decide to drop the lawsuit and related requests".

The previous text, thus, shows that if the plaintiff or their representative could not be notified and did not appear in court within sixty days from the date of submitting the appeal, the court may decide to drop the lawsuit, as well as its applications. It is clear from the previous text that the law allows the judge to drop the plaintiff's case as a penalty for not following up on their case and ensures that each party pursues their case seriously and that the courts are not filled with lawsuits and appeals without follow-up, which leads to the accumulation of lawsuits before the courts. As a result, there will be an accumulation of amount of lawsuits before the courts without issuing judgments.

7.2.4 Non-payment of fees by the applicant or their representative, failure to pay them in full or in violation of the law, or non-payment of the fee difference based on the assignment of the court

If the plaintiff or their attorney does not pay the lawsuit fees, does not pay the fees in full, pays them in violation of the law, or does not comply with the court's order to pay the fee difference, the court may decide to drop the lawsuit as a penalty against the plaintiff, as stated in Article (38/E) of the Administrative Judiciary Law, stipulating "The court decides to drop the lawsuit if the legal fees have not been paid in full or if they have been paid in a manner that is contrary to the law and charge the defendant to pay the fee difference within a period it specified and he failed to do so (Article 38/E of the Administrative Judiciary Law).

7.2.5 If the statement does not include a cause of action

In this research, it is believed that this situation applies to administrative lawsuits although it was mentioned in Article 124/A of the Jordanian Civil Procedure Code, stipulating that the court may decide to drop the lawsuit in the following cases:

1. If the regulation does not include a reason because the legislator in the Administrative Judiciary Law referred the cases of dropping the administrative lawsuit to the Code of Civil Procedure by the text of Article 41 of the aforementioned Administrative Judicial Law, this case may be applied as one of the reasons for dropping the administrative lawsuit. It should be noted that the above-mentioned four cases are related to the procedural revocation. As for the cases of objective revocation, they are represented in three cases, which will be mentioned as follows:

First: If the administration withdraws the judicially challenged decision; It should be noted first that what is meant by withdrawing the administrative decision is the administration's right to retroactively destroy the effects of its administrative decision from the date of its issuance (Al-Aqoun, 2022; Bushnaq, 2018). Withdrawing the administrative decision as a penalty for illegality leads to getting rid of the defective decision (Al-Nuwayji, 2021). The decisions that the administration may withdraw are invalid administrative decisions, which were considered as of defects in the administrative decision, such as a defect of cause, purpose, form, or procedure (Al-Majali, 2020; Abu Aqeel, 2022). If the principle is that the administration must correct situations that violate the law, then the reasons for stability also require respect for the acquired rights of individuals and respect for the judicial appeal date (Al-Majali, 2020).

Second: If the administration cancels the contested decision administratively, the administration's cancellation of the administrative decision by the administration means demolishing the effects of the administrative decision on the present and the future. This is in contrast to withdrawing the administrative decision, the effect of which extends to the past in cases of fraud being used by employees or individuals. The judicial and legislative authorities agree on the competence of the executive authority (Rashid, 2021).

Given the said analysis, it is clear that if the administration withdraws its decision or cancels it during the consideration of the administrative case, this will inevitably lead to the objective revocation of the administrative case, as the administrative judiciary requires the availability of interest from the filing of the case until the matter is decided. This opinion applies to individual administrative decisions that generate rights for individuals and organizational administrative decisions that contain general and abstract rules (Al-Jadaa, 2019; Fendi, 2017).

Third: If the petitioner acquiesces to the judicially challenged decision during the hearing of the case, it is established in jurisprudence and administrative judiciary that compliance with the final administrative decision is the acceptance of the stakeholder of the subject matter of the administrative decision. The administrative jurisprudence has a set of controls and conditions to consider it as such (Administrative Court Judgment No. 43/2021). These conditions are:

- A. The appellant utters a voluntary statement or deed that indicates their acceptance of the decision.
- B. This acceptance must be issued by the person affected by the decision and not by anyone else.
- C. The acceptance should not be conditional or associated with any restrictions.
- D. The contested decision should be an individual decision, not an organizational one.
- E. The lawsuit filed is a lawsuit for annulment, which refers to the exclusion of other lawsuits that are within the competence of the administrative judiciary.

7.3 Cases of dropping the civil lawsuit

Dropping cases of the civil lawsuit are mentioned in more than one place in the Jordanian Civil Procedure Code No. 24 of 1988 and its amendments, including more than one case of dropping the plaintiff's lawsuit. They are listed according to the sequence contained in the Civil Procedure Code as follows:

7.3.1 If the defendant appears and the plaintiff fails to appear

The Jordanian Civil Procedure Code stipulates "If the plaintiff does not appear at the scheduled session date, this allows the judge to drop the case". The Jordanian legislator differentiates between two cases:

- A. If the defendant does not have a counterclaim, the court may decide to drop the lawsuit or pass a ruling on it based on the defendant's request, by the provisions of Article 67/4/a of the Code of Civil Procedure, which stipulates that the court may, decide, based on his request, to drop the lawsuit or issue a ruling thereon.
- B. If the defendant in the lawsuit has a counterclaim, the defendant has the option to request dropping the original and counterclaims, drop the original lawsuit, proceed with the counterclaim, or pass judgment on both claims together. Article 67/4/B stipulates this case by stating that if the defendant in the lawsuit has a counterclaim, they have the option to request dropping the two lawsuits, dropping the original lawsuit, proceeding with the counterclaim, or ruling both.

As gleaned from the said statements, the Jordanian legislator has given the defendant many options, all of which are in their favor as if the Jordanian legislator stresses the

need for the plaintiff to attend all trial sessions under pain of imposing a penalty against them, which varies according to the case in which the case is (Al-Zoubi, 2010).

7.3.2 If the two parties of the case did not attend the trial session

This is the second case of dropping the civil case, which is the case in which the two parties of the case do not attend the session set by the court (Jordanian Court of Cassation Judgment No. 4039/2022). In this case, the law allows the court to decide to postpone the case to another date or to drop it. This is in support of the text of Article 67/5 of the Code of Civil Procedure, stipulating “If none of the parties appears, the court may postpone the case or drop it” (Al-Akhras, 2012).

As shown in the previous text, if the two parties of the case do not appear at the specified session date, the court may decide to postpone the case or decide to drop it. If there is a legal notification by the provisions of the law and by the principles, the text of the aforementioned article cannot be applied.

7.3.3 Dismissing the case for failure to follow up

It indicates that the plaintiff did not follow up on their claim by asking about it and following it up seriously. Although they are not notified for any reason whatsoever, the court may, according to failure to follow up on the case within three months from the date of registering the case, drop the case and related requests unless the defendant expresses the desire to pursue the case despite the plaintiff not following up on it. In this case, the defendant is obligated to pay the costs of notifying the plaintiff, which is in support of the text of Article 67/6 of the Code of Civil Procedure, stipulating "If the plaintiff could not be notified for any reason and did not appear in court within three months from the date of filing the lawsuit, the court may decide to dismiss the lawsuit and related requests unless the defendant expresses a desire to pursue it". In this case, the defendant is obligated to pay the costs of notifying the plaintiff.

The previous text shows that the court may decide to drop the lawsuit according to the case mentioned in the text of the aforementioned article, but the permissibility of the court to drop the lawsuit is restricted. If the conditions of the previous article are met, then if the defendant expresses their desire to continue the lawsuit, the court may drop the case and the option remains for it to postpone the case to another date until the plaintiff is notified and attends the sessions, provided that the costs of notifying the plaintiff are borne by the defendant.

In addition, one of the cases that led to dismissing the case for failure to follow up is what was mentioned within the provisions of Article 107 of the Code of Civil Procedure. If any of the parties of the case fails to comply with the judge’s decision that they must respond to the presentation of a document or allow access to it, and that party is the plaintiff, and with this action or deed, this case is to be dropped by the court based on a lack of following-up. If the conditions contained in the previous article are met, the Jordanian legislator differentiates between the action of the plaintiff and the reason for dropping the lawsuit.

7.3.4 If a decision is issued to suspend the case for a certain period and none of the parties of the case submitted a request to renew it within the eight days following the end of the deadline

Article 123/2 of the Code of Civil Procedure stipulates “If none of the litigants submits a request to precede with the case within the eight days following the end of the deadline – whatever the length of time – the case is forfeited”. If there is a decision to stop the lawsuit for a certain period, the deadline expires. Also, if the eight days following the end of the deadline lapsed, the lawsuit in this case is forfeited.

7.3.5 If the statement of claim does not include a cause of action

If the statement of claim does not include the cause of the case, in that it is not clear to the court the reason for the claim in the case before it, then in this case, the court may decide to drop the case (Al-Qudhat, 2020). This is included in the text of Article 124/1 of The Code of Civil Procedure that the court may decide to drop the case in the following case "If the statement does not include a cause of action".

7.3.6 If the plaintiff fails to implement the court's decision instructing them to correct the value of the lawsuit within the period specified by the court with the obligation to pay the difference in the fee, as it is estimated to be less than its value, the court may decide to drop the lawsuit

1. If the lawsuit is estimated at less than its actual value, the court assigns the plaintiff to correct the value within a certain period and assigns them to pay the fee difference. If the plaintiff or their representative fails to implement the court's decision within the period specified by it, this is one of the reasons for the court's permissibility to drop the lawsuit. This is decided by Article 124/2 of the Code of Civil Procedure, stipulating "The court may decide to drop the lawsuit in the following cases":

2. If the requested rights are valued at less than their value, the court instructs the plaintiff to correct the value within a period it specifies by paying the fee difference.

7.3.6 If the plaintiff fails to pay the fee difference based on the court's assignment as a result of paying incomplete fees even though the required rights are reasonably estimated

1. If the court assigns the plaintiff to pay the required fees within a period specified by it, the plaintiff does not implement the court's decision within the period specified by the court, and even though the required rights are an acceptable estimate, if this is not done, his case will be dropped as a result of non-implementation of the court's decision, according to the text of Article 124/ 3 of the Code of Civil Procedure, stipulating "The court may decide to drop the lawsuit in the following cases".

2. If the required rights are estimated as required, and the fees paid are incomplete, then the court instructs the plaintiff to pay the required fee within a specified period.

8. Results

Given the previous discussion, the research finds that of the lawsuit means the cessation of its effect, but it does not preclude its renewal in many cases. It is also found that the administrative lawsuit differs from the civil lawsuit in terms of its nature, but there are many similarities in the cases of dropping the lawsuit. Indeed, the Jordanian legislator has referred the administrative judge to the Code of Civil Procedure in some cases to apply the cases of dropping mentioned in the Law of Principles of civil trials, by the nature of administrative claims, in support of the text of Article 41 of the Jordanian Administrative Judiciary Law. Another important result is that dropping the lawsuit is a penalty for the plaintiffs who are negligent in their lawsuit and did not fulfill the duties imposed on them by the law.

9. Conclusion

In a nutshell, the Jordanian legislator differentiates between administrative cases and civil cases in terms of the possibility of the judge dropping them despite the great convergence between them in some cases. The legislator, by referring cases of dropping the administrative case to the Code of Civil Procedure, has expanded the powers of the judge to rule dropping the administrative case, with the possibility of applying the cases of

dropping the civil case mentioned in the Code of Civil Procedure by the nature of the administrative case.

Moreover, the Code of Civil Procedure is broader than it is in administrative cases due to the nature of each of the two cases and the different nature of each of them from the other on one hand. On the other hand, the administrative lawsuit, by its nature, differs from the civil lawsuit in that the administrative lawsuit is based on appealing against a decision issued by an administrative authority, while the civil lawsuit is a preliminary lawsuit to claim civil rights, which deals with claims of all kinds filed before the court based on specific facts.

At the same time, dropping the lawsuit results in the cessation of its effect, although this does not prevent its renewal in most cases. In this case, the court considers the lawsuit from the point it reached before dropping it and continues with the lawsuit until the issuance of the ruling by the competent judge (Jordanian Court of Cassation No. 4781/2022).

10. Recommendations

Based on the said discussion and results, the research recommends that the Jordanian legislator is required to amend the relevant texts to provide for a specific number of possibilities for the plaintiffs to renew their lawsuit in each case of dropping the lawsuit, in both the Administrative Judiciary Law and the Civil Procedure Code. Another recommendation is that the Jordanian legislator should establish the basis upon which the judge drops the lawsuit since the expression of the judge in most texts is mentioned. The Jordanian legislator did not establish a basis for the judge's powers in this field. Of the key related recommendations is that adding a legal text to the Administrative Judiciary Law represented by adding a new case of dropping the administrative case, which is a case where there is no reason for cancellation.

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- Judgments of the Jordanian Administrative Court.
- Judgments of the Jordanian Supreme Administrative Court.
- Judgments of the Jordanian Court of Cassation.