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Nova causae propositio in the 1983 Code of Canon Law
and in the Process Instruction *Dignitas connubii*

Summary

The Legislator in the proceedings in annulment of a marriage mentions remedies against the judgement such as an action for nullity of the judgement (*querela nullitatis contra sententiam*), appeal (*appellatio*) and the request for a retrial of the case after two consistent judgments (*nova causae propositio*). The distinction of so many remedies of the judgement may stem from the fact that the judgement can be voidable or unjustified, but the major aim of the proceedings are primarily to get to the objective truth about the contested marriage. Notwithstanding that, *Nova causae propositio* is not an appeal of the judgement in the strict sense of the word, to which the legislator includes the above- mentioned appeals and actions for nullity of the judgement. Admittedly it is a measure against the judgement, however it is not to challenge its validity. The purpose of this institution is to provide justice. Thus, the request for a reconsideration of the case by double- conforming judgements initiate the proceedings in exceptional circumstances and it is an extraordinary remedy against the judgement, exercise of which is subject to compliance with strict conditions ascertained by the legislator. Proceedings in fact are conducted as a result of bringing this request are allowed only when in the specific case concerning the status of parties with two consistent judgements and there are no other options for a possible appeal.

Słowa kluczowe: proces o nieważność małżeństwa, drugi zgodny wyrok, zaskarżenie wyroku, *nova causae propositio*

Key words: marriage nullity case, two concordant sentences, challenge of the sentence, *nova causae propositio*