

**Dominika Mróz Szarmach**

***Wniosek o przeprowadzenie rozprawy pod nieobecność strony a wymóg z art. 148<sup>1</sup> § 3 k.p.c.  
Wyrok Sądu Apelacyjnego w Szczecinie z dnia 14 czerwca 2018 r., I AGa 119/18  
(Motion to proceed on trial without the party's presence and the requirement  
from Article 148(1) paragraph (3) of the Civil Procedure Code. Judgement of the Court of  
Appeal in Szczecin in Case I AGa 119/18)***

The commentary deals with the question of interpretation of the motion to proceed on trial without the party's presence in the context of Article 148(1) paragraph (3) of the Civil Procedure Code and the obligation to file relevant motion to enable the court to give the judgement at the proceedings in camera arising out of it. The effects of court's faulty interpretation of the said motion from Article 209 of Civil Procedure Code, that the Court of Appeal in Szczecin of 14 June 2018 in Case I AGa 119/18 stated, were analyzed as well. Furthermore, the commentary points to certain questions connected with the assessment of the above mentioned motion when placed in the procedural document. The ultimate conclusion of the commentary amounts to the approval of the standpoint expressed by the pronouncing court in the commented decision.