

Estinzione delle obbligazioni

La *novatio* (novazione) consiste nel compiere una *stipulatio* ad eseguire quello che è già dovuto in base ad una precedente obbligazione con alcune innovazioni

La *prima obbligazione* viene assorbita nella seconda e *si estingue*

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Francesca Mite

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dall'unificazione legislativa (1866) a tutto il 1898 Samuele Coen,1916 **Diritto civile. Manuale breve. Tutto il**
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giurisprudenza; rassegna di dottrina e di giurisprudenza civile ,1898 **Delle obbligazioni - artt. 1218-1276**
Vincenzo Cuffaro (diretto da),2013-02-04 Il modulo Delle Obbligazioni un autorevole commento articolo per articolo della
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disciplina dell inadempimento e dei modi di estinzione delle obbligazioni della cessione dei crediti e della delegazione
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1226 1227 del dott BRUNO TASSONE Artt 1228 1229 del Prof ALESSANDRO D ADDA Capo IV Dei modi di estinzione delle
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Francesco Ricci,1923 **Commentario teorico-pratico del Codice civile del regno d'Italia per singoli articoli**
Delvitto,1879 **Lezioni di diritto privato** Claudio Turco,2011 *Manuale di diritto civile* Francesco Caringella,2008

LA CONFUSIONE NEL RAPPORTO OBBLIGATORIO Francesca Mite,2015-03-02 Il contributo nasce da una riflessione sull'istituto della confusione peculiare modo di estinzione del rapporto obbligatorio ma suscettibile di essere studiato sia in prospettiva estintiva della situazione giuridica che acquisitiva oltre che in quella patrimoniale La confusione infatti lemma che informando semanticamente di s. profili e situazioni di diritto connotate in termini anche profondamente diversi tra loro presenta indubbia complessità sin dal momento ricognitivo rivelandosi pertanto meritevole di una rinnovata considerazione Sotto il profilo metodologico ed ancor più in una prospettiva attenta a riannodare le fila di un'analisi di sistema il fenomeno indagato nella chiave di lettura della categoria concettuale del rapporto giuridico ripensato criticamente anche alla luce dell'evoluzione interpretativa in primis dottrinarie che ha segnato la sua qualificazione in termini di relazione tra situazioni giuridiche soggettive Lungi dall'essere confinata nelle maglie ristrette di una spiegazione puntualistica e per cui solo fuorviante l'analisi dell'istituto confusivo si colloca in una prospettiva sistemica che attinge quindi il cuore della nozione di rapporto giuridico e dei suoi corollari Esaminando le molteplici sfaccettature del fenomeno e gli istituti ad esso connessi l'indagine intende dimostrare i termini della compatibilità tra unisoggettività e rapporto giuridico La tematica sarà affrontata anche attraverso una ricognizione delle opinioni già sostenute dai commentatori con particolare attenzione alle problematiche sottoposte al vaglio degli organi decidenti ed alle riflessioni che hanno fondato l'iter logico motivazionale delle diverse pronunce *Le obbligazioni* Pasquale Fava,2008 **Le obbligazioni** Paolo Franceschetti,Massimo Marasca,2008

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