



**Request for a preliminary ruling from the Tribunal Judiciaire de Guéret (France) lodged on
25 November 2025 – CNP Caution SA v HU, spouse of VM, VM**

(Case C-760/25, CNP Caution)

(C/2026/1187)

Language of the case: French

Referring court

Tribunal Judiciaire de Guéret

Parties to the main proceedings

Applicant: CNP Caution SA

Defendants: HU, spouse of VM, VM

Question referred

Where a loan agreement contains an unfair term, inasmuch as it authorises the lender to rely on an accelerated repayment procedure without allowing the borrower a reasonable period in which to rectify his or her situation, and where a professional guarantor has paid the debt of the principal debtor despite the fact that, as a result of the irregularity of the accelerated repayment procedure (because it was ordered pursuant to an unfair term), that debt cannot be called in, is national case-law which makes it impossible to enforce, as against the professional guarantor when it brings a personal action, the fact that that debt cannot be called in incompatible with EU law?
