

Decision no. 10, dated 07.03.2023

(V-10/23)

Constitutional Court of the Republic of Albania composed of: Marsida Xhaferllari, Head of session, Fiona Papajorgji, Elsa Toska, Sonila Bejtja, Sandër Beci, Ilir Toska, Genti Ibrahim, Marjana Semini, members, with court secretary Blerina Basha, on 07.03.2023, took under examination in plenary session on the basis of submitted documents, the case no. 3 (N) 2022 of the Basic Court Register, pertaining to:

APPLICANT: NDUE GJETA

INTERESTED SUBJECTS:

**SOCIAL INSURANCE INSTITUTE,
REGIONAL DIRECTORATE OF SOCIAL INSURANCE,
TIRANA**

OBJECT: Repeal of decisions no. 00-2022-738, of the Administrative College of the Supreme Court, dated 26 April 2022; no. 965, of the Administrative Court of Appeal, dated 12 May 2015; no. 1125, of the First Instance Administrative Court of Tirana, dated 20 March 2014, as incompatible with the Constitution of the Republic of Albania.

Granting old-age pension and supplementary pension as a military officer according to the legislation of the time.

LEGAL BASIS: Articles 3, 4, points 1 and 2, 5, 15, point 1, 18, points 1 and 2, 44, 52, point 2, 122, points 1 and 2, 131, letter “a” and “f”, 134, points 1, letter “i” and 2, 141, point 2 and 155 of the Constitution of the Republic of Albania; articles 6, 13, and 14 of the European Convention on Human Rights; articles 27, 45, 49, point 3, letter “c” and “e” and 80, point 1, of Law no. 8577, dated 10 February

2000 "On the organization and functioning of the Constitutional Court of the Republic of Albania", (law no. 8577/2000), amended.

Constitutional Court of the Republic of Albania, in pursuance of articles 131, point 1, letter "f", and 134, point 1, letter "i" of the Constitution, as well as articles 71 and 72 of Law no. 8577, dated 10 February 2000 "On the organization and functioning of the Constitutional Court of the Republic of Albania", amended, unanimously,

DECIDED:

1. Rejection of the application.

This decision is final and enters into force on the day of its publication in the Official Gazette.