

Decision no. 18, dated 04.04.2023

(V-18/23)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Fiona Papajorgji, Elsa Toska, Sonila Bejtja, Sandër Beci, Ilir Toska, Genti Ibrahim, Marsida Xhaferllari, members, with court secretary Belma Lleshi, on 04.04.2023, took under examination in plenary session on the basis of submitted documents, the case no. 3 (H) 2022 of the Basic Court Register, pertaining to:

APPLICANT: HYDROENERGY LTD COMPANY

INTERESTED SUBJECT:

“EURO-AL” LTD COMPANY

OBJECT: Repeal of decision no. 00-2022-1353 (253), of the Civil College of the Supreme Court, dated 20 June 2022, as incompatible with the Constitution of the Republic of Albania.

LEGAL BASIS: Articles 42, 131, point 1, letter “f”, and 134, point 1, letter “i” of the Constitution of the Republic of Albania; article 6 of the European Convention on Human Rights; articles 27 et seq. 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 72 et seq. 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. Admission of the application.
2. Repeal of decision no. 00-2022-1353 (253), of the Civil College of the Supreme Court, dated 20.06.2022, as incompatible with the Constitution of the Republic of Albania.
3. Remanding of the case to the Supreme Court for retrial.

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