

**Decision no. 31, dated 29.05.2023**

**(V-31/23)**

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Marsida Xhaferllari, Fiona Papajorgji, Sonila Bejtja, Sandër Beci, Genti Ibrahimimi, Marjana Semini, Elsa Toska, members, with court secretary Belma Lleshi, on 20.04.2023 and 26.05.2023, took under examination in plenary session on the basis of submitted documents, the case no. 16 (Sh) 2022 of the Basic Court Register, pertaining to:

**APPLICANT: SHPRESA KEKEZI, TERI KEKEZI, BLENDAR LASKU, DONIKA SHKURTI, ROLAND SHKURTI, LEANDRO SHKURTI**

**INTERESTED SUBJECTS:**

**“MURATAJ” LTD COMPANY., REZARTA NGJELA (KEKEZI), VERONIKA SHANI, MERI KONOMI, ALEKSANDRA LASKU, KOSTANDIN LASKU, INGRID LASKU, JANI SHKURTI, DHIMITËR SHKURTI**

**OBJECT: Repeal of decisions no. 1250, dated 22 February 2010 of the Judicial District Court of Tirana; no. 2139, dated 20 October 2011 of Appeal Court of Tirana; no. 00-2022-759, dated 28 March 2022 of the Civil College of the Supreme Court, as incompatible with the Constitution of the Republic of Albania. Finding a breach of the reasonable time requirement adjudicated until present, of decision no. 616 of Appeal Court of Tirana, dated 12.03.2013. Obligation for the payment to be awarded in accordance with this decision. Restoration of the property rights to the expropriated applicants. Compensation of the reasonable time requirements.**

**LEGAL BASIS:** Articles 41, 42, 131, point 1, letter “f” and 134, point 1, letter “i” of the Constitution of the Republic of Albania; articles 6 and 13 of the European Convention on Human Rights (*ECHR*) and article 1 of its Protocol no. 1, articles 27 and 71 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, 72 and 73, point 4, of Law no. 8577, dated 10 February 2000 “On the organization and functioning of the Constitutional Court of the Republic of Albania”, amended,

**DECIDED:**

1. Partial admission of the application.
2. Finding of the length of the judicial proceedings within reasonable time, registered by no. 11243-01655-00-2014 of the Basic Register of the Supreme Court.
3. Rejection of the application with regard to the other claims.

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