

Decision no. 37, dated 07.07.2023

(V-37/23)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Marsida Xhaferllari, Fiona Papajorgji, Elsa Toska, Sonila Bejtja, Ilir Toska, Genti Ibrahim, Marjana Semini, Sandër Beci, members, and Belma Lleshi, secretary, on 16.02.2023 and 07.07.2023, took under examination in plenary session on the basis of submitted documents, the case no. 15 (Sh) 2022 of the Basic Court Register, pertaining to:

APPLICANT: “ARSENI” LTD COMPANY.

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INTERESTED SUBJECTS:

**GENERAL DIRECTORATE OF INDUSTRIAL PROPERTY,
ZLATEVSKI LJUBISA**

OBJECT: Repeal of decision no. 00-2022-464 (111), dated 21 March 2022 of the Administrative College of the Supreme Court, as incompatible with the Constitution of the Republic of Albania. Remanding of the case to the Supreme Court for further proceedings.

LEGAL BASIS: Articles 41, 42, 131, point 1, letter “f”, 134, point 1, letter “i”, and 2, of the Constitution of the Republic of Albania; article 6 of European Convention on Human Rights (*ECHR*) and article 1 of its Protocol no. 1; articles 71 and 71/a 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, by majority of votes,

DECIDED:

1. Admission of the application.
2. Repeal of decision no. 00-2022-464 (111), dated 21 March 2022 of the Administrative College of the Supreme Court, as incompatible with the Constitution of the Republic of Albania.
3. Remanding of the case to the Supreme Court for further proceedings.

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