

Decision no. 40, dated 14.09.2023

(V-40/23)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Marsida Xhaferllari, Elsa Toska, Sonila Bejtja, Sandër Beci, Genti Ibrahimi, Marjana Semini, Fiona Papajorgji, members, with court secretary Belma Lleshi, on 14.09.2023, took under examination in plenary session on the basis of submitted documents, the case no. 33 (A) 2022 of the Basic Court Register, pertaining to:

APPLICANT: AGIM LAMJA

INTERESTED SUBJECTS:

**HAJDAR LAMJA, QEMAL LAMJA, SHPËTIM SKËNDERI,
TATJANA SKËNDERI, MYRVETE SKËNDERI, MARSEDA
SKËNDERI, EMIRJAN SKËNDERI,
AGENCY FOR TREATMENT OF PROPERTY, TIRANA,
STATE ADVOCACY**

OBJECT: Repeal of decision no. 00-2022-1907 (285), dated 12 July 2022, of the Civil College of the Supreme Court, as incompatible with the Constitution of the Republic of Albania.

LEGAL BASIS: Articles 41, 42, 131, point 1, letter “f” and 134, point 1, letter “i” of the Constitution of the Republic of Albania; 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. 00-2022-1907 (285), dated 12 July 2022 of the Civil College of the Supreme Court, as incompatible with the Constitution of the Republic of Albania.
3. Remanding of the case to the Civil College of the Supreme Court for further proceedings.

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