

**Decision no. 43, dated 19.09.2023**

**(V-43/23)**

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Marsida Xhaferllari, Fiona Papajorgji, Sonila Bejtja, Sandër Beci, Ilir Toska, Marjana Semini, Genti Ibrahim, members, with court secretary Belma Lleshi, on 19.09.2023, took under examination in plenary session on the basis of submitted documents, the case no. 26 (Sh) 2022, pertaining to:

**APPLICANT: “NDREKAJ” LTD COMPANY.**

**INTERESTED SUBJECTS:**

**ALBANIAN ROAD AUTHORITY,  
STATE ADVOCACY,  
JOINT VENTURES “ING. CLAUDIO SALINI GRANDI  
LAVORI S.P.A.” & “SALVATORE MATARRESE S.P.A.”**

**OBJECT: Repeal of decision no. 00-2022-1201 (246), dated 16 June 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 Administrative College of the Supreme Court for retrial.**

**LEGAL BASIS: Articles 4, 41, 42, 131, point 1, letter “f” and 134, point 1, letter “i” of the Constitution of the Republic of Albania; article 1, Protocol no. 1 and article 6, paragraph 1, of the European Convention on Human Rights (ECHR); 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, by majority of votes,

**DECIDED:**

1. Admission of the application.
2. Repeal of decision no. 00-2022-1201 (246), dated 16.06.2022 of the Administrative College of the Supreme Court.
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.