

Decision no. 50, dated 18.10.2023

(V-50/23)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Marsida Xhaferllari, Fiona Papajorgji, Sonila Bejtja, Sandër Beci, Ilir Toska, Genti Ibrahim, Marjana Semini, Elsa Toska, members, with court secretary Belma Lleshi, on 18.10.2023, took under examination in plenary session on the basis of submitted documents, the case no. 3 (M) 2023 of the Basic Court Register, pertaining to:

APPLICANT: MUHAMET TREPÇI

INTERESTED SUBJECTS:

**FATIME TREPÇI,
SHYQYRIJE TREPÇI,
QEOTHERE KURTI (TREPÇI),
PROPERTY TREATMENT AGENCY,
STATE ADVOCACY**

OBJECT: Repeal of decision no. 569, dated 25 February 2014 of Tirana Appeal Court; no. 00-2022-2177, dated 05 October 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; 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 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. Partial admission of the application.
2. Repeal of decision no. 00-2022-2177, dated 05.10.2022 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 Supreme Court for further proceedings.

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

