

Decision no. 52, dated 18.10.2023

(V-52/23)

Constitutional Court of the Republic of Albania composed of: Marsida Xhaferllari, Head of Session, Fiona Papajorgji, Elsa Toska, Sonila Bejtja, Genti Ibrahim, Marjana Semini, Sandër Beci, members, with court secretary Belma Lleshi, on 14.10.2023, took under examination in plenary session on the basis of submitted documents, the case no. 1 (M) 2023 of the Basic Court Register, pertaining to:

APPLICANT: MITAT DAUTAJ

INTERESTED SUBJECTS:

ENTELE BECI,

EMI DAUTAJ,

ARBI DAUTAJ.

OBJECT: Repeal of decision no. 3717, dated 09 April 2013 of the District Court of Tirana, no. 3898, dated 02 December 2014 of Appeal Court of Tirana; no. 21001-01221-00-2015 of the Basic Register, dated 15 September 2022 and no. 00-2022-2821, dated 06 October 2022 of the Civil College of the Supreme Court, as incompatible with the Constitution of the Republic of Albania.

LEGAL BASIS: Articles 35, point 4, 42, 53, point 3, 131, point 1, letter "f" and 142, point 1, of the Constitution of the Republic of Albania; article 6, point 1, of the European Convention on Human Rights; articles 27, 49, 50 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”, 134, point 1, letter “i” and 133, point 2, 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. Rejection of the application.

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