

Decision no. 67, dated 06.12.2023

(V-67/23)

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, with court secretary Belma Lleshi, on 06.12.2023, took under examination in plenary session on the basis of submitted documents, the case no. 4 (P) 2023 of the Basic Court Register, pertaining to:

APPLICANT: PËLLUMB ÇELA, “ÇELA-X” LTD COMPANY

INTERESTED SUBJECTS:

ARJAN AVLLAJ, “ANI” LTD COMPANY., represented with power of attorney, by practicing lawyer Dorian Çeliku.

“ALBA CERAMICA N” LTD COMPANY., in absentia.

OBJECT: Repeal of decision no. 9577, dated 06.10.2014 of the Judicial District Court of Tirana; no. 433, dated 16.10.2015 of the Appeal Court of Tirana; no. 00-2016- 2892, dated 11.11.2016 of the Civil College of the Supreme Court; no. 163, dated 29.06.2017 of the College of the Constitutional Court, as incompatible with the Constitution of the Republic of Albania.

LEGAL BASIS: Articles 42, 131, point 1, letter “f” and 134, point 1, letter “i” of the Constitution of the Republic of Albania (*The Constitution*); article 6 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 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, unanimously,

DECIDED:

1. Rejection of the application.

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