

Decision no. 74, dated 22.10.2024

(V-74/24)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Marsida Xhaferllari, Fiona Papajorgji, Sandër Beci, Ilir Toska, Genti Ibrahimimi, Marjana Semini, Sonila Bejtja, members, with court secretary Belma Lleshi, on 22.10.2024, took under examination in plenary session on the basis of submitted documents, the case no. 17 (Sh) 2024 of the Basic Court Register, pertaining to:

APPLICANT: “TIRANA AUTO” LTD. COMPANY, represented by the administrator Benon Dede.

INTERESTED SUBJECTS:

GENERAL DIRECTORATE OF STATE POLICE, represented by the General Director, Muhamet Rrumbullaku.

PRIVATE BAILIFF OFFICE “EGH” LTD., in absentia.

OBJECT: Repeal of decisions no. 172 of the Administrative Court of Appeal, dated 04.07.2023; decision no. 00-2023-4875 of the Administrative College of the High Court, dated 22.11.2023, as incompatible with the Constitution of the Republic of Albania.

LEGAL BASIS: Articles 42, 131, point 1, letter “f”, 134, points 1, letter “i” and 2, as well as 142, point 1, of the Constitution of the Republic of Albania (*the Constitution*); Articles 6 and 13 of the European Convention on Human Rights, as well as Article 1 of its Protocol no. 1; Articles 71 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, pursuant to Articles 131, point 1, letter “f” and 134, point 1, letter “i”, of the Constitution, as well as Articles 71 and 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 vote,

DECIDED:

1. Admission of the application in part.
2. Repeal of decision no. 00-2023-4875 of the Administrative College of the High Court, dated 21.11.2023, as incompatible with the Constitution of the Republic of Albania.
3. Remanding of the case to the High Court for further proceedings.
4. Rejection of the application for the rest of the subject of the appeal.

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