

Decision no. 41 dated 22.12.2022
(V-41/22)

The Constitutional Court of the Republic of Albania consisting of: Vitore Tusha, President, Marsida Xhaferllari, Fiona Papajorgji, Elsa Toska, Altin Binaj, Ilir Toska, Sandër Beci, members, and Blerina Basha and Enina Kotoni, secretaries, on 14.11.2022 and 01.12.2022, examined in open plenary session the case no.3(Z) 2022 of Court Basic Register pertaining to:

APPLICANT: **ZEF KOVAÇI, FRANKO KOVAÇI**, represented by lawyer Edlira Peku.

INTERESTED SUBJECTS:

COUNCIL OF MINISTERS, represented with an authorization by Herald Jonuzaj and the State Advocate Irma Qosja.

STATE ADVOCATE, represented with an authorization by State Advocates Abaz Deda, Irma Qosja and Juliana Pasho.

PROPERTY MANAGEMENT AGENCY, in absentia.

OBJECT: **The repeal of the decision no. 00-2021-2052, dated 16.12.2021 of the Administrative Chamber of the High Court, as incompatible with the Constitution of the Republic of Albania.**

The repeal of the decision no. 89, dated 03.02.2016 of Council of Ministers "On the approval of the land value map in the Republic of Albania", only with regard to the area of 990 m², ZK 8720, in Tirana, as incompatible with the Constitution of the Republic of Albania.

LEGAL BASIS: Articles 4, 17, point 2, 18, point 1, 33, point 1, 41, 42, 131, point 1, letter “f” and 134, point 1, letter “i” and 142, point 1, of the Constitution of the Republic of Albania; article 6 of the European Convention on Human Rights and article 1 of its

Protocol 1; Law no. 8577, dated 10 February 2000 “On the organization and functioning of the Constitutional Court of the Republic of Albania”, amended.

The Constitutional Court of the Republic of Albania, relying on articles 131, point 1, letter “f” and 134, point 1, letter “i”, of the Constitution, as well as articles 72 and seq. 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. To reject the application.

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