

Decision no. 14, dated 07.03.2024

(V-14/24)

Constitutional Court of the Republic of Albania composed of: Marsida Xhaferllari, Head of session, Fiona Papajorgji, Elsa Toska, Sonila Bejtja, Sandër Beci, Ilir Toska, Genti Ibrahim, Marjana Semini, members, with court secretary Belma Lleshi, on 07.03.2024, took under examination in plenary session on the basis of submitted documents, the case no. 6 (B) 2023 of the Basic Court Register, pertaining to:

APPLICANT: BESNIK CANAJ

INTERESTED SUBJECTS:

STATE ADVOCACY, represented by the state advocate Irma Qosja.

NATIONAL INSPECTORATE FOR PROTECTION OF TERRITORY

INSPECTORATE FOR PROTECTION OF TERRITORY AT TIRANA MUNICIPALITY

OBJECT: Repeal of decision no. 00-2022-1893 (300) of the Administrative College of the High Court, dated 13.09.2022, as incompatible with the Constitution of the Republic of Albania.

Remanding of the case to the High Court for further proceedings.

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*) and Article 1 of its protocol no.1; 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 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.
2. Repeal of decision no. 00-2022-1893 (300) of the Administrative College of the High Court, dated 13.09.2022.
3. Remanding of the case to the High Court for further proceedings.

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