

Decision no. 21, dated 04.04.2024

(V-21/24)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Marsida Xhaferllari, Elsa Toska, Sonila Bejtja, Sandër Beci, Ilir Toska, Genti Ibrahim, Marjana Semini, Fiona Papajorgji, members, with court secretary Belma Lleshi, on 04.04.2024, took under examination in plenary session on the basis of submitted documents, the case no. 39 (A) 2023 of the Basic Court Register, pertaining to:

APPLICANT: ARBEN GJOLEKA

INTERESTED SUBJECTS:

**STATE CADASTRE AGENCY,
REGIONAL DIRECTORATE OF THE STATE CADASTRE
AGENCY, TIRANA NORTH, in absentia.**

**OBJECT: Finding of the violation of the principle of a fair trial due to the non-completion of the trial by the Administrative Court of Appeal of the administrative court case no. 31151-01451-86-2022, act no. 16849, dated 04.05.2022.
Repeal of decision no. 00-2023-2963 of the Administrative College of the High Court, dated 13.07.2023 and 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; 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 Article 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.