

Decision no. 31, dated 18.04.2024

(V-31/24)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Marsida Xhaferllari, Elsa Toska, Sonila Bejtja, Sandër Beci, Ilir Toska, Genti Ibrahimimi, Marjana Semini, Fiona Papajorgji, members, with court secretary Belma Lleshi, on 18.04.2024, took under examination in plenary session on the basis of submitted documents, the case no. 43 (A) 2023 of the Basic Court Register, pertaining to:

APPLICANT: AGIM GOGA

INTERESTED SUBJECTS:

NATIONAL INSPECTORATE FOR THE PROTECTION OF TERRITORY, represented by the Chief Inspector Ervin Hoxha.
LOCAL DIRECTORATE OF TIRANA POLICE, represented by the First Director Tonin Vocaj.

OBJECT: Repeal of decisions no. 5622 of Tirana Administrative Court of First Instance, dated 13.10.2014; no. 2221 of the Administrative Court of Appeal, dated 13.07.2016; no. 00-2023-1941 (159) of the Administrative College of the High Court, dated 08.05.2023, as incompatible with the Constitution of the Republic of Albania. Remanding of the case to the High Court for retrial.

LEGAL BASIS: Articles 41, points 1 and 4, 42, 131, point 1, letter “f” and 134, point 1, letter “i”, of the Constitution of the Republic of Albania (*the Constitution*); 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 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, 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.