

Decision no. 67, dated 03.10.2024

(V-67/24)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Marsida Xhaferllari, Sonila Bejtja, Sandër Beci, Ilir Toska, Genti Ibrahim, Marjana Semini, Fiona Papajorgji, members, with court secretary Belma Lleshi, on 03.10.2024, took under examination in plenary session on the basis of submitted documents, the case no. 7 (Sh) 2024 of the Basic Court Register, pertaining to:

APPLICANT: “**PRODHIM VESHJE No. 2**”, **SH.A. COMPANY**, represented by Elisabeta Dosti.

INTERESTED SUBJECTS:

ARTA MICI, represented with power of attorney, by lawyer Gramoz Çela.

“**ARCHIMED INTERNATIONAL INVESTITOR**”, **LTD. COMPANY**, represented with power of attorney, by lawyer Gramoz Çela.

OBJECT: **Repeal of decisions no. 8223 of Tirana District Court, dated 29.09.2008; decision no. 185 of Tirana Appeal Court, dated 05.02.2010; decision no. 00-2011-277 of the Civil College of the High Court, dated 25.03.2011, as incompatible with the Constitution of the Republic of Albania.**
Remanding of the case to Tirana General Jurisdiction Court for further proceedings.

LEGAL BASIS: **Articles 18, point 1, 31, letters “b” and “ç”, 33, point 1, 41, point 1, 42, 43, 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/c 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, 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.