

Decision no. 40 dated 22.12.2022

(V-40/22)

The Constitutional Court of the Republic of Albania consisting of: Vitore Tusha, President, Fiona Papajorgji, Elsa Toska, Altin Binaj, Sonila Bejtja, Sandër Beci, Ilir Toska, Genti Ibrahim, Marsida Xhaferllari, members, and Belma Lleshi, secretary, on 22 December, 2022, examined in plenary session based on documentation the case no. 8 (S) 2022 Act pertaining to:

APPLICANT: STEFANAQ PANARITI

INTERESTED SUBJECTS:

**COUNCIL OF MINISTERS,
MINISTRY OF INFRASTRUCTURE AND ENERGY,
ALBANIAN ROAD AUTHORITY,
STATE ADVOCATE**

OBJECT: Repeal of decision no.00-2022-288(64), dated 21.02.2022 of the High Court, as incompatible with the Constitution of the Republic of Albania.

LEGAL BASIS: Articles 4, 11, 17, 18, 41, 42, 131, point 1, letter “f” and 134, point 1, letter “i”, 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 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, unanimously,

DECIDED:

1. To accept the application.
2. To repeal the decision no. 00-2022-288(64), dated 21.02.2022 of the High Court, as incompatible with the Constitution of the Republic of Albania.
3. To remand the case for re-examination to the Administrative Chamber of the High Court.

This decision is final and enters into force after publication in the Official Gazette.