

Decision no. 43 dated 27.12.2022

(V-43/22)

The Constitutional Court of the Republic of Albania consisting of: Vitore Tusha, President, Marsida Xhaferllari, Fiona Papajorgji, Elsa Toska, Altin Binaj, Sonila Bejtja, Ilir Toska, Genti Ibrahimi, Sandër Beci, members, and Belma Lleshi, secretary, on 22.11.2022 and 16.12.2022 examined in plenary session based on documentation, the case no. 6 (M) 2022 of the Court Basic Register, pertaining to:

APPLICANT: MINERVA KOTHERJA, FERZILET SARJA, MYZEJEN CAKU, ERMIRA GARUNJA, ZËDLIR BYLYKBASHI, ARMAND BYLYKBASHI

INTERESTED SUBJECTS:

**COUNCIL OF MINISTERS,
STATE ADVOCATE,
PROPERTY MANAGEMENT AGENCY**

OBJECT: Repeal of the decision no. 00-2022-364, dated 07.03.2022 of the Administrative Chamber of the High Court, as incompatible with the Constitution of the Republic of Albania.

Remanding the case for review of the recourse in court session with the presence of the parties to the Administrative Chamber of the High Court.

Repeal of the decision of the Council of Ministers no.89, dated 03.02.2016, "On the approval of the land value map in the Republic of Albania", only with regard to the area ZK 8524 Elbasan, as incompatible with the Constitution of the Republic of Albania.

LEGAL BASIS: Articles 4, 17, point 2, 18, point 1, 33, point 1, 41, 42, 131, point 1, letter "f", 134, point 1, letter "i" and 142, point 1, 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 10.02.2000 “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 72 and 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. To reject the application.

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