

Decision no. 39 dated 26.07.2013

(V-39/13)

The Constitutional Court of the Republic of Albania, consisting of: Bashkim Dedja, President, Vladimir Kristo, Xhezair Zaganjori, Vitore Tusha, Sokol Berberi, Fatmir Hoxha, Admir Thanza, members, and Blerina Basha, secretary, on 12.03.2013, examined in open judicial session, the case no. 6 Act, pertaining to:

APPLICANT: Mr. **LULZIM CEKA**, represented by Mr. Qazim Gjonaj (lawyer), with special power of attorney.

INTERESTED SUBJECT:

GENERAL PROSECUTION, in absentia.

OBJECT: **The repeal as unconstitutional of the decision no. 13, dated 09.04.1998, of Court of Bulqiza Judicial District; of the decision no. 183, dated 02.06.1998, of Tirana Court of Appeal and of the decision no. 237, dated 06.11.1998, of Supreme Court.**

LEGAL BASIS: Articles 33/1, 42/1, 42/2, 43, 131/f and 134/1/g of Constitution of the Republic of Albania; articles 27-30, 39, 42 and successive of the law no. 8577, dated 10.02.2000 “On the organization and functioning of the Constitutional Court of the Republic of Albania”.

The Constitutional Court of the Republic of Albania, in reliance on article 131, letter “f”, and article 134, point 1, letter “g”, of Constitution, and articles 72 and successive of law no.8577, dated 10.02.2000 “On the organization and functioning of the Constitutional Court of the Republic of Albania”, by majority of votes,

DECIDED:

- To reject the application.¹

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

¹ Judge Sokol Berberi voted *pro* the legitimacy of the applicant, but considers that the application should be rejected because of the unfounded allegations.