

Decision no.32, dated 22.07.2011

(V – 32/11)

The Constitutional Court of the Republic of Albania, consisting of: Bashkim Dedja, President, Vladimir Kristo, Petrit Pllloçi, Vitore Tusha, Sokol Sadushi, Sokol Berberi, Admir Thanza, Altina Xhoxhaj, Xhezair Zaganjori, members, with secretary Blerina Çinari, on 31.03.2011, took under examination in open door judicial session the case with act no.8, pertaining to:

APPELLANT: **UKE SHETA**, represented by the lawyers Dhimitraq Prifti and Artur Mickaj, with special power of attorney.

INTERESTED SUBJECTS:

FIFE KASTRATI, represented by the lawyer Besnik Kaçurri, with special power of attorney.

DEPARTMENT OF ADMINISTRATION AND SALE OF PUBLIC PROPERTY, represented by Sotiraq Veizi, with authorization.

THE OBJECT: The repeal on unconstitutional grounds of decision no.426, dated 18.11.2008 of the Civil Chamber of the Supreme Court.

LEGAL BASE: Article 42 of the Constitution of the Republic of Albania and article 6/1 of the European Convention on the Human Rights.

Constitutional Court of the Republic of Albania, in reliance on article 131, letter “f” and article 134, point 1, letter “g” of the Constitution; as well as articles 72 and et. seq. of the Law no.8577, dated 10.02.2000 “On the organization and functioning of the Constitutional Court of the Republic of Albania,” by a majority of votes,

DECIDED:

- The repeal as incompatible with the Constitutional of decision no.426, dated 18.11.2008 of the Civil Chamber of the Supreme Court.
- The remand of the case to the Supreme Court for re-examination.

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