

Decision no. 83, dated 18.12.2025

(V-83/25)

Constitutional Court of the Republic of Albania composed of: Marsida Xhaferllari, Head of session, Fiona Papajorgji, Sonila Bejtja, Sandër Beci, Ilir Toska, Genti Ibrahimimi, Asim Vokshi, Marjana Semini, members, with court secretary Belma Lleshi, on 18.12.2025 took under examination in plenary session on the basis of submitted documents, the case no. 7 (Sh) 2025 of the Basic Court Register, pertaining to:

APPLICANT: “INDUSTRI NDËRTIM” LTD. COMPANY, represented with special power of attorney, by lawyer Ardian Kasapi.

INTERESTED ENTITY:

KUJTIM IBRAJ, represented with special power of attorney, by lawyer Arben Llapi.

SUBJECT MATTER:

Repeal of Decisions No. 218, dated 21.03.2013 of the Lezhë District Court; No. 236, dated 20.04.2015 of the Shkodër Court of Appeal; No. 00-2021-229, dated 17.02.2021 of the Civil College of the High Court, as incompatible with the Constitution of the Republic of Albania.

Remanding of the case to the Lezhë First Instance Court of General Jurisdiction for further proceedings.

LEGAL BASIS: Articles 4, 11, 15, 16, point 2, 18, point 1, 41, 42, 131, point 1, letter “f” and 134, point 1, letter “i”, of the Constitution of the Republic of Albania (*the Constitution*); Articles 49, points 3, letter “e” and 4, as well as 50, point 4, of Law No. 8577, dated 10 February 2000 “On the organization and functioning of the

Constitutional Court of the Republic of Albania”, (*Court’s Organic Law*), as amended.

Constitutional Court, pursuant to Articles 131, point 1, letter “f” and 134, point 1, letter “i”, of the Constitution, as well as Article 72 of Law No. 8577, dated 10 February 2000 “On the organization and functioning of the Constitutional Court of the Republic of Albania”, as amended, unanimously,

DECIDED:

1. Admission of the application in part.
2. Repeal of Decision No. 00-2021-229, dated 17.02.2021 of the Civil College of the High Court, as incompatible with the Constitution of the Republic of Albania.
3. Remanding of the case to the High Court for further proceedings.

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