

Decision no. 23, dated 04.03.2026
(V-23/26)

Constitutional Court of the Republic of Albania composed of: Fiona Papajorgji, President, Marsida Xhaferllari, Sonila Bejtja, Sandër Beci, Genti Ibrahimimi, Marjana Semini, Asim Vokshi, Ilir Toska, members, with court secretary Farisja Idrizaj, on 04.03.2026 took under examination in plenary session on the basis of submitted documents, the case no. 20 (A) 2025 of the Basic Court Register, pertaining to:

APPLICANTS: **ARJAN SHTËMBARI, SILVANA SHTËMBARI**

INTERESTED ENTITIES:

“SHËRBIMI PËRMBARIMOR ZIG” LLC, in absentia.

“UNION BANK”, in absentia.

MANJOLA ANXHAKU, KLODIANA ANXHAKU, ELTON KRYEKURTI, represented with power of attorney, by lawyer Envi Hincka.

SUBJECT MATTER: **Repeal of Decisions no. 2067, dated 6 October 2015 of the Tirana Court of Appeal; Decision no. 00-2024-4493, dated 13 November 2024 of the Civil Chamber of the High Court, as incompatible with the Constitution of the Republic of Albania.**

Remanding of the case for retrial by a differently composed bench.

LEGAL BASIS: **Articles 41, 42, 131, point 1, letter “f”, 134, point 1, letter “i” and 142, of the Constitution of the Republic of Albania (*the Constitution*); Article 6 of the European Convention on Human Rights (*ECHR*); Articles 27, points 1 and 2, 71/1, 71/a and 71/b 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 Articles 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. Rejection of the application.

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