

Decision no. 59, dated 28.05.2026
(V-59/26)

Constitutional Court of the Republic of Albania composed of: Fiona Papajorgji, President, Marsida Xhaferllari, Sandër Beci, Ilir Toska, Genti Ibrahim, Marjana Semini, Asim Vokshi, Sonila Bejtja, members, with court secretary Farisja Idrizaj, on 28.05.2026 took under examination in plenary session on the basis of documents, the case no. 3 (Xh) 2025 of the Basic Court Register, pertaining to:

APPLICANT: **XHEVAT TOPI**, represented with power of attorney, by the lawyer Lulzim Llangozi.

INTERESTED ENTITIES:

ZENEPE TOPI, in absentia.

“SIGAL UNIQA GROUP AUSTRIA” JSC., represented by the General Administrator Avni Ponari.

ALBANIAN INSURANCE BUREAU, in absentia.

SUBJECT MATTER: **Repeal of decision no. 00-2025-681 of 5 February 2025 of the Civil Chamber of the High Court, as incompatible with the Constitution of the Republic of Albania.**
Remanding of the case to the Civil Chamber of the High Court for further proceedings.

LEGAL BASIS: **Articles 4, 17, point 2, 18, point 1, 33, point 1, 41, points 1 and 2, 42, 131, point 1, letter “f”, 134, point 1, letter “i”, and 142, point 1, of the Constitution of the Republic of Albania (*the Constitution*); Articles 6 and 13 of the European Convention on Human Rights and Article 1 of Protocol No. 1 thereto; Article 27 of Law No. 8577 of 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 et seq. of Law No. 8577 of 10 February 2000 “On the organization and functioning of the Constitutional Court of the Republic of Albania”, as amended, by majority vote,

DECIDED:

1. Admission of the application.
2. Repeal of decision no. 00-2025-681 of 5 February 2025 of the Civil Chamber 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 shall enter into force on the day of its publication in the Official Gazette.