

IN THE NAME OF THE REPUBLIC OF ARMENIA
DECISION OF THE CONSTITUTIONAL COURT OF
THE REPUBLIC OF ARMENIA

ON THE CASE OF CONFORMITY OF POINT 5 OF PART 1 OF ARTICLE 160 OF RA
ADMINISTRATIVE PROCEDURE CODE WITH THE CONSTITUTION OF THE REPUBLIC
OF ARMENIA ON THE BASIS OF THE APPLICATION OF MISHA PETROSYAN

Rapporteur A. Tunyan

Based on the review of the Case and governed by Point 1 of Article 100, and Article 102 of the Constitution of the Republic of Armenia (with Amendments through 2005), Articles 63, 64 and 69 of the Law of the Republic of Armenia on the Constitutional Court, the Constitutional Court of the Republic of Armenia **HOLDS:**

1. Point 5 of Part 1 of Article 160 of the RA Administrative Procedure Code is in conformity with the Constitution of the Republic of Armenia in the constitutional legal content according to which the decision on the return of the cassation complaint cannot be considered a decision of the Court of Cassation already rendered in the case on the same grounds mentioned in the complaint.
2. Based on Part 12 of Article 69 of the Law of the Republic of Armenia on the Constitutional Court, final judicial acts against the Applicant shall be reviewed in accordance with the procedure prescribed by Law on the basis of new circumstances, since Point 5 of Article 160 of the RA Administrative Procedure Code was applied against the Applicant in an interpretation different from the constitutional legal content revealed in the first Point of the final part of this Decision.
3. Pursuant to Part 2 of Article 102 of the Constitution of the Republic of Armenia (with Amendments through 2005) this Decision is final and enters into force from the moment of the announcement.

May 25, 2017

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