

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

**ON THE CASE CONCERNING THE CONSTITUTIONALITY OF ARTICLE 184 § 1(1)
OF THE ADMINISTRATIVE PROCEDURE CODE OF THE REPUBLIC OF
ARMENIA RAISED BY THE APPLICATION OF LIA MNATSAKANYAN AND
HASMİK MNATSAKANYAN**

Based on the examination of the case and subject to Article 168(1), Article 169 § 1(8), and Article 170 of the Constitution, as well as guided by Articles 63, 64 and 69 of the Constitutional Law on the Constitutional Court, the Constitutional Court **HOLDS:**

1. Article 184 § 1(1) of the Administrative Procedure Code of the Republic of Armenia complies with the Constitution by the interpretation that, based on the content of Articles 61 and 81 of the Constitution, the application for the review of the judicial act by the successor of the participant in the trial upon the grounds of a newly emerged circumstances is subject to examination in the absence of circumstances that fully exclude his or her succession in part of material rights arising as a result of the resolution of the dispute.

2. By the final judicial act rendered against the applicants, namely, by the Decision VD/4264/05/11 of the Cassation Court of 30 June 2023, Article 184 § 1(1) of the Administrative Procedure Code of the Republic of Armenia had been applied against the applicants by a different interpretation, and according to Article 69 § 10 of the Constitutional Law on the Constitutional Court, the above circumstance allows to review the final judicial act rendered against the applicants upon the grounds of a newly emerged circumstances.

3. Pursuant to Article 170 § 2 of the Constitution, this Decision shall be final and shall enter into force upon its promulgation.

PRESIDENT

April 9, 2024

DCC-1724

A. DILANYAN