

**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 131 § 1,
AND ARTICLE 195 OF THE ADMINISTRATIVE PROCEDURE CODE OF THE
REPUBLIC OF ARMENIA RAISED BY THE APPLICATION OF TUFENKIAN TRANS
CAUCASUS LLC**

Based on the examination of the case and subject to Article 168 (1), Article 169 § 1(8), and Article 170 §§ 1, and 4-5 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 131 § 1 of the Administrative Procedure Code of the Republic of Armenia complies with the Constitution.

2. To declare Article 195 of the Administrative Procedure Code of the Republic of Armenia contradicting Article 61 § 1, and Article 75 of the Constitution and void, insofar as it does not provide for the possibility of a direct appeal of the decision on rejecting the motion on suspending the operation of the disputed normative legal act (the disputed provision thereof) in the appeal procedure.

3. According to Article 69 § 10 of the Constitutional Law on the Constitutional Court, the final judicial act rendered against the applicant shall be subject to revision upon the grounds of a newly emerged circumstances as prescribed by the Law.

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

PRESIDENT

A. DILANYAN

April 16, 2024

DCC-1725