

**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 331 AND
PART 1 OF ARTICLE 432 OF THE CIVIL CODE OF THE REPUBLIC OF ARMENIA,
RAISED BY THE APPLICATION OF “HOVNANIAN INTERNATIONAL” LIMITED
LIABILITY COMPANY**

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 331 and Article 432 § 1 of the Civil Code of the Republic of Armenia comply with the Constitution by the interpretation that the termination of contractual obligations, including on the grounds of impossibility of performance thereof, cannot be dependent on the fact of the expiration of the statute of limitations.

2. 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 newly emerged circumstances as prescribed by the Law, considering that Article 331 and Article 432 § 1 of the Civil Code of the Republic of Armenia had been applied against the applicant by an interpretation other than given by this Decision.

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

PRESIDENT

A. DILANYAN

October 8, 2024

DCC-1756