

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

**ON THE CASE OF CONFORMITY OF PARTS 1 AND 2 OF ARTICLE 193 OF THE RA
ADMINISTRATIVE PROCEDURE CODE WITH THE CONSTITUTION OF THE
REPUBLIC OF ARMENIA ON THE BASIS OF THE APPLICATION
OF ASHOT KOCHARYAN AND OTHERS**

Rapporteur A. Tunyan

Based on the review of the Case and being governed by the requirements of Article 100, Point 2 and Article 102, Parts 1 and 4 of the Constitution of the Republic of Armenia (with the amendments of 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. To terminate proceedings on the case "On the determination of the issue of compliance of Parts 1 and 2 of Article 193 of the Code of Administrative Procedure of the Republic of Armenia with the Constitution of the Republic of Armenia on the basis of the appeal of Ashot Kocharyan and others" partially in part of the provision of Part 2 of Article 193 of the Code of Administrative Proceedings of the Republic of Armenia.

2. Part 1 of Article 193 of the Code of Administrative Proceedings of the Republic of Armenia is in conformity with the Constitution of the Republic of Armenia within the framework of such constitutional and legal content, according to which a legal or natural person can apply to the Administrative Court in the case stipulated by law if there is a ground in four month term after the invalidity of the challenged normative legal act of such grounds, irrespective of the fact of the presence or absence of an individual legal act on the application of the contested normative legal act (its impugned provision) or the action that ensured the application (execution) of the contested normative legal act or inaction.

3. According to Article 69 of the RA Constitutional Court Law, the final judicial act against applicants is subject to review in accordance with the procedure established by law on the basis of a

newly discovered circumstance, taking into account that the provisions of Part 1 of Article 193 of the Code of Administrative Proceedings of the Republic of Armenia were applied to applicants in a different interpretation.

4. 2. In accordance with Article 102, Part 2 of the RA Constitution (with amendments of 2005) this decision is final and enters into force from the moment of its announcement.

28 February 2017

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