

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

ON THE CASE OF CONFORMITY OF PART 1 OF ARTICLE 251 OF THE CIVIL CODE OF THE REPUBLIC OF ARMENIA (AS DRAFTED BEFORE ENTRY INTO FORCE OF THE LAW HO-233-N OF 23 JUNE 2011) IN THE INTERPRETATION PROVIDED IN LAW-ENFORCEMENT PRACTICE WITH THE CONSTITUTION ON THE BASIS OF THE APPLICATION OF “PRODUCTION-POLYGRAPHIC” CJSC

Based on the above-mentioned and governed by Clause 1 of Article 168, Clause 8 of Part 1 of Article 169, Parts 1 and 4 of Article 170 of the Constitution, as well as Articles 63, 64 and 69 of the Constitutional Law on the Constitutional Court, the Constitutional Court **HOLDS:**

1. Part 1 of Article 251 of the Civil Code of the Republic of Armenia (as drafted before entry into force of the Law HO-233-N of 23 June 2011) is in conformity with the Constitution in the interpretation, according to which taking possession of the collateral is considered the completion of the confiscation and sale, the settlement between the pledgor and the pledgee must be made.

2. In accordance with Part 10 of Article 69 of the Constitutional Law on the Constitutional Court, the final judicial act issued in respect of the applicant shall be subject to review in the manner prescribed by law on the basis of a newly revealed circumstance, since Part 1 of Article 251 of the Civil Code (as drafted before entry into force of the Law HO-233-N of 23 June 2011) was applied with respect to the applicant in the interpretation other than prescribed by Clause 1 of this Decision.

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

Chairman

A. Dilanyan

March 9, 2021

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