

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

**ON THE CASE OF CONFORMITY OF CLAUSE 2 OF PART 3 OF ARTICLE 1226 OF  
THE CIVIL CODE OF THE REPUBLIC OF ARMENIA WITH THE CONSTITUTION ON  
THE BASIS OF THE APPLICATION OF PARGEV ARAKELYAN**

Based on the review of the case and governed by Clause 1 of Article 168, Clause 8 of Part 1 of Article 169, 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.** Clause 2 of Part 3 of Article 1226 of the Civil Code of the Republic of Armenia is in conformity with the Constitution by the interpretation that the way of acceptance of succession by virtue of actual possession or management, including due to incurring expenses on his account for preservation of the property, shall be applicable both in case of succession by law and in case of succession by will.

**2.** According to Part 10 of Article 69 of the Constitution on Constitutional Law, 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, since Clause 2 of Part 3 of Article 1226 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 Part 2 of Article 170 of the Constitution this Decision shall be final and shall enter into force upon its promulgation.

**Chairman**

**A. Dilanyan**

July 12, 2022

DCC-1660