

**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 1226 § 3(2) OF
THE CIVIL CODE OF THE REPUBLIC OF ARMENIA RAISED BY THE APPLICATION
OF PARGEV ARAKELYAN**

Based on the examination of the case and subject to Article 168(1), Article 169 § 1(8), and Article 170 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 1226 § 3(2) of the Civil Code of the Republic of Armenia complies 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 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, since Article 1226 § 3(2) 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

July 12, 2022

DCC-1660