



## Successfully Litigated Cases in April

### **With GYLA's assistance a citizen of Iran received residence permit**

GYLA ☐ Tbilisi office represented in the court interests of a citizen from Iran. On August 9, 2013 he was enrolled in the state conservatory and received temporary residence permit for a year. After expiration of the period, he applied to the State Services ☐ Development Agency and requested resident permit for continuation of education. He was rejected, since according to the opinion of the Counterintelligence Department of the Ministry of Interior in view of protecting the state and/or public security interests the applicant ☐ residence in Georgia was unreasonable. The decision was challenged in the court. It invalidated the decision of the State Services ☐ Development Agency and ordered the respondent to issue a new decision after comprehensive examination of circumstances of the case. According to the court decision, the respondent state agency issued resident permit to A.S. for continuation of education.

### **With GYLA ☐ assistance individuals were relieved of administrative responsibility**

1. GYLA ☐ Zugdidi office represented in the court Z.Ch. ☐ interests detained in his house for drug test. As a result of examination, fact of applying tetrahydrocannabinol was confirmed and administrative proceeding was launched against him. With assistance from GYLA ☐ Zugdidi office, Z.Ch. submitted an evidence to the regional court providing that Z.Ch. receives the medicine ☐☐☐☐☐☐☐☐☐☐A on a daily basis which gives false positive reaction on tetrahydrocannabinol in the course of drug examination. According to the ruling of Zugdidi regional court administrative proceeding was terminated against Z.Ch for absence of administrative offence.

2. GYLA ☐ Kutaisi office represented in the court N.M. ☐ interests. As case provided, patrol police drafted protocol of administrative offence and fined N.M. 1000 laris for

driving a car under alcoholic influence. With assistance from GYLA [ ] Kutaisi branch N.M. has challenged the administrative protocol. As a result, court found illegal protocol of administrative offence and proceedings were terminated for lack of administrative offence.

**With assistance from GYLA [ ] Zugdidi office, an IDP from Abkhazia received compensation of GEL 2500**

GYLA [ ] Zugdidi office represented in the court A.G. [ ] interests an IDP from Abkhazia. Heavy rains have damaged his green-houses and a house. According to expert opinion he suffered damage of GEL 3,757. Under the order #576 of Zugdidi municipality, families suffered by natural disaster received partial compensation of the damage. Notwithstanding numerous claims of A.G. no compensation was provided to him. With assistance from GYLA [ ] Zugdidi office, A.G. applied to Zugdidi regional court demanding from the respondent Zugdidi municipality gamgeoba to issue an individual legal act by which A.G. would be compensated for the damage suffered from natural disaster. The court upheld position of the respondent and ordered Gamgeoba of Zugdidi municipality to issue an administrative act. As a result, A.G. has already been compensated for the suffered damaged with GEL 2500.

**With GYLA [ ] assistance, the perpetrator was prohibited to abuse the victim of domestic violence verbally, physically and psychologically**

On April 7, 2015 Kutaisi City Court satisfied statement of the victim of domestic violence E.P. in terms of issuing protective order. Lawyer from GYLA [ ] Kutaisi office protected her interests in the court. Facts of violence against E.P. were confirmed at the trial and Kutaisi city court made decision about issuing protective order against the perpetrator. As a result N.K. was prohibited to abuse the victim of domestic violence verbally, physically and physiologically, as well as to approach her house and to have phone contact with her. Protective order has been issued for 6 moths period.

With GYLA's assistance illegally dismissed individual was restored to the office

GYLA [ ] Telavi office represented in the court Z.U. [ ] interest who worked as an envoy in territorial agency of Akhmeta Gamgeoba and was dismissed from the position illegally upon the order of the head of municipality local council. Examination of the

case in the court confirmed Z.U. [] illegal dismissal. Further, his claim on restoration to the office and compensation for the missed salary was also satisfied. Both appellate and cassation courts upheld decision of the first instance court.

**With legal assistance of GYLA [] Zugdidi office a beneficiary was able register his title on a real property**

N.K. applied to Zugdidi registration service of the National Agency of Public Register with application and requested to specify borders and the area(space) of the owned plot. The agency has suspended the registration process since the cadastral map of the plot submitted for registration overlapped with a state owned land plot.

With assistance from GYLA [] Zugdidi office, N.K. applied to Zugdidi regional court and requested invalidation of the decision of the Zugdidi Registration Service of National Public Registry and registration of N.K. [] real property in specified area. According to March 31, 2015 decision N.K.'s claim was fully satisfied.

**With assistance from GYLA [] Ajara branch, a beneficiary managed to register his title in public register**

GYLA [] Ajara branch represented in the court G.K. [] interests who was denied by Batumi Registration Service of Public Registry to recognize his title on the plot of 1500 square meters, since the area overlapped with the state owned plot. G.K. applied to the court and demanded invalidation of administrative acts by the respondents: government of Ajara Autonomous Republic and the Ministry of Finance and Economy of Ajara Autonomous Republic, National Agency of Public Register and Batumi Registration Service, as well as registration of his title on the plot. In the course of the court proceedings, in the first half of 2013, the commission for examination of filed applications about registration of titles on the plots owned by natural persons and legal entities and overlapped with state owned plots, started functioning in the Ministry of Finance and Economy of Ajara Autonomous Republic. G.K. applied to the commission with an application and demanded from the Ministry of Finance and Economy of Ajara autonomous republic to issue relevant consent for implementation of registration. The commission, however, ignored the application. As per decision of July 9, 2014 G.K. [] complaint was fully satisfied. The decision was upheld by Kutaisi Appellate Court as well. The respondent did not file a cassation, the decision had

**საქართველოს ახალგაზრდა იურისტთა ასოციაცია**  
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already been enforced and the disputed plot had already been registered as G.K. □  
property in public register.