

**Case number:**

U-I-166/14

ECLI:

ECLI:SI:USRS:2016:U.I.166.14

Challenged act:**Operative provisions:****Abstract:**

Due to the fact that the municipality did not conclude a legal transaction to acquire land from the petitioner, and the fact that an expropriation procedure was not carried out against her, Article 5 of the Ordinance on Categorization is inconsistent with Article 69 of the Constitution inasmuch as it categorizes a path on her land as a public path. As Article 5 of the Ordinance on Categorization in this part inadmissibly interferes with the property right of the petitioner, it is also inconsistent with Article 33 of the Constitution.

Thesaurus:**Legal basis:****Cases joined:**

⌘

Full text:**Type of procedure:**

ocena ustavnosti in zakonitosti predpisov in drugih splošnih aktov

Type of act:

občinski predpis

Applicant:

Martina Hrastnik, Zidani Most

Date of application:

17. 7. 2014

Date of Decision:

21. 4. 2016

Type of decision adopted:

odločba

Outcome of proceedings:

razveljavitev ali odprava

Published:

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