

**Case number:**

Up-6/15

ECLI:

ECLI:SI:USRS:2016:Up.6.15

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

A reasoned judicial decision forms an essential part of fair judicial proceedings. By such decision, courts must state in a concrete manner and with sufficient clarity the reasons on the basis of which they adopted their decision. Since, in the case at issue, the answer to the express allegations of the complainant stated in the action and in the appeal to the Supreme Court does not follow from the reasoning, that leaves the complainant in reasonable doubt as to whether the Supreme Court assessed with sufficient diligence all the circumstances of the case and considered and subsequently dismissed all his allegations, or simply overlooked some of them. The Supreme Court failed to respond to the complainant by adopting a clear, understandable, and legally structured position as regards his allegations stated in the action and in the appeal to the Supreme Court which were important for deciding the case.

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

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Full text:**Type of procedure:**

ustavna pritožba

Type of act:

posamični akt

Applicant:

Alojz Zabret, Križe

Date of application:

5. 1. 2015

Date of Decision:

6. 10. 2016

Type of decision adopted:

odločba

Outcome of proceedings:

razveljavitev ali odprava

Published:**Document:**

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