

**Case number:**

U-I-154/16

**ECLI:**

ECLI:SI:USRS:2019:U.I.154.16

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

Due to the fact that prior to the categorisation of a public path 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 7 of the Ordinance on Categorisation is inconsistent with Article 69 of the Constitution inasmuch as it categorises a path on her land as a public path. As Article 7 of the Ordinance on Categorisation in this part inadmissibly interferes with the property right, it is also inconsistent with Article 33 of the Constitution.

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

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**Full text:****Type of procedure:**

ocena ustavnosti in zakonitosti predpisov in drugih splošnih aktov

**Type of act:**

podzakonski akt

**Applicant:**

Zvezdana Kuhar, Griže

**Date of application:**

31. 8. 2016

**Date of Decision:**

8. 11. 2018

**Type of decision adopted:**

odločba

**Outcome of proceedings:**

razveljavitev ali odprava

**Published:**

Official Gazette RS, No. 74/2018

**Document:**

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