

საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



Successfully Litigated Cases in February

1. GYLA lawyers continue provision of legal aid to the victims of domestic violence

With assistance from GYLA Tbilisi and Kutaisi offices the court issued protective order to the victims of domestic violence and in both cases the respondent was prohibited to have any relationship, including a phone contact, with an applicant.

2. With GYLA □ assistance the case was ruled in favor of S.M. whose right to free movement was unreasonably restricted by law enforcement agencies by disallowing him to leave the state boarder

GYLA □ Tbilisi office protected in the court S.M. □ interests. Without any explanation, the Ministry of Interior disallowed him to leave the state boarder and thus his right to free movement, provided for in the Constitution, was restricted. The court found illegal conduct of the Patrol Police department in terms of setting restriction in crossing the boarder and the agency was prohibited to do so in future in S.M.'s case.

3. With GYLA □ assistance, the case Sh.G. v. Tbilisi City Hall was ruled in favor of the applicant

GYLA □ Tbilisi office protected in the court Sh.G. □ interests against Tbilisi City Hall. On December 29, 2012 he tried to stop his bus in front of a kindergarten when he fell in the sewage pit which had no roof. As a result, Sh.G. sustained bodily injuries and medical treatment was appointed. As it was determined during the court hearing, the sewage pit was unroofed throughout a year and the relevant service of Tbilisi City Hall made no adequate reaction. The court found that Sh.G. sustained bodily injuries for the fault of Tbilisi City Hall and it became obliged to compensate the applicant for incurred medical expenses total of 616,52 GEL, cost of anticipated medical treatment □ GEL 786,8; non-material damage □ GEL 1500 and unearned income □□□ 200 (for suffered bodily injuries he missed a work).

4. With GYLA □ assistance, an individual was relieved from administrative liability

With assistance from GYLA □ Tbilisi office, an individual was relieved from administrative liability for applying marihuana, since the fact was not confirmed.

Another individual represented by GYLA □ Dusheti Office had a dispute with environment monitoring department for transportation of timber without relevant documentation. With assistance from GYLA □ Dusheti office, A.I. was relieved from administrative liability and only reprimand was applied by the court. The court shared GYLA's position about A.I. committing a misdemeanor.

5. With GYLA assistance, the case of dismissing public servant from the office was remanded to public agency

GYLA Kutaisi branch represented in the court N.S. interests dismissed from Samtredia regional prosecutor office illegally as per General Prosecutor order of December 6, 2013. According to February 16, 2015 decision of the Supreme Court of Georgia, our beneficiary cassation was partially granted. Order of the General Prosecutor was invalidated and it became obliged to make a new decision after examination and assessment of circumstances.

6. GYLA protected labor right of an individual

GYLA Gori office represented in the court I.K. interests dismissed from the office as per order of the director of military hospital of the Defense Ministry. The applicant worked on the position of secret documents officer. Appellate Court invalidated dismissal order and GYLA's beneficiary was restored to his position.

7. GYLA protected property rights of an individual

GYLA Rustavi office represented in the court L.M. interests whose land plot was used by Rustavi local self-governance for arranging a playground without his consent. With assistance of GYLA Rustavi office, L.M. applied to the court against local council and Tbilisi City Hall. According to the court decision, L.M. claim was satisfied and Tbilisi City Hall was ordered to dismantle illegally constructed playground.