

**By the Judgement of 14 July 2021 No. 36-II the Constitutional Court of the Russian Federation assessed constitutionality of Article 213<sup>25</sup>, item 6, paragraph five of the Federal Law “On Insolvency (Bankruptcy)”.**

This provision was subject to consideration insofar as it served as basis for courts to decide on the right of a citizen duly recognised insolvent (bankrupt) to personally in his own name lodge with the court a claim to levy unpaid wages.

The challenged provision was recognized not contravening the Constitution of the Russian Federation.

The Constitutional Court noted that if the citizen recognised insolvent (bankrupt) believes the idleness of a financial manager as regards application with the court to levy the unpaid wages violates his or her lawful rights this citizen is entitled to challenge said inaction in a commercial court within a separate dispute.

At that the provision of Article 20<sup>4</sup> of the Federal Law “On insolvency (bankruptcy)” as regards responsibility of insolvency manager is fully applicable to responsibility of financial manager. Therefore a citizen recognized bankrupt is entitled to demand levying from the manager the wages’ debt and interests for the delay of its payment by lodging the relevant action if a citizen lost possibility to receive these payments because of idleness of the manager, where unlawfulness of such inaction is established by court.

The Constitutional Court separately noted that the constitutional interpretation given by the Judgement shall not result in review of judicial decisions adopted in the case to which the applicant was a party.