

**By the Judgement of 21 January 2019 No. 6-II the Constitutional Court appraised constitutionality of Article 112 of the Code of Administrative Proceedings of the Russian Federation.**

The contested provision was a subject-matter of consideration to the extent to which it serves as a normative ground for the issue of reimbursement by the administrative plaintiff of the court expenses for the services of representative incurred by the interested person who participated in the administrative case against state bodies (local self-government bodies, another body or organisation authorised with separate state and public powers, a public official, a civil or municipal servant) decisions, actions (inactions) on the side of the administrative defendant in whose favour the judgement was adopted.

The Constitutional Court has recognised the contested provision as not contradicting to the Constitution of the Russian Federation to the extent that it implies the reimbursement of court expenses in favour of interested person, when latter's procedural behaviour promoted the adoption of the judgement, provided that:

the court expenses for the representative's services were necessary (unavoidable) and reimbursed reasonably;

participation of the interested person in an administrative case on the side of the administrative defendant is an appropriate way to protect rights, freedoms and legitimate interests, and the judgement entails legal consequences for the interested person in the form of maintaining or terminating (reducing, changing content and scope) his rights and obligations;

expenses of the interested person for the representative's services, were not incurred solely for the purpose of impeding the administrative plaintiff's activities for the protection of their rights, freedoms and legitimate interests, rights, freedoms and legitimate interests of other persons or of an indefinite circle of persons by challenging the decisions, actions (inaction) of the public authority in court, including affecting the rights of the person concerned.