

By the Judgment of 12th October, 2015 No. 25-II/2015 the Constitutional Court gave appraisal of constitutionality of Item 5 of Section 1 of Article 150 of the Arbitration Procedure Code of the Russian Federation.

The contested norm was the subject-matter of consideration to the extent to which on its basis arbitration courts of appellate instance solve the question of discontinuance of proceedings on the complaint of a competition manager against the ruling of arbitration court of first instance, by which his actions (inaction) committed within the framework of a case on bankruptcy are recognized as illegal, in the event of insertion of a record on liquidation of a debtor in the Uniform State Register of Juridical Persons.

The Constitutional Court recognized the contested provision as not contradicting the Constitution of the Russian Federation, so far as it does not hinder arbitration court of appellate instance to consider in substance and pass decision on complaint of a competition manager against the ruling of arbitration court of first instance on recognition of his actions (inaction), committed when fulfilling tasks entrusted to him within the framework of the case on bankruptcy as illegal, in the event when during exercise of appellate proceedings the record on liquidation of the organization-debtor is inserted in the Uniform State Register of Juridical Persons and the case on bankruptcy is discontinued on this ground.