

By its Judgement of 10 March 2022 No. 10-II/2022 the Constitutional Court of the Russian Federation assessed constitutionality of Article 445, part three, paragraph two of the Civil Procedure Code of the Russian Federation.

This legislative provision became subject to consideration insofar as it served as basis to decide upon reversal of execution of a final judicial act in a case on levying by an employee (former employee) of monetary sums owed to him or her under working relations where such an act is quashed due to new or newly discovered circumstances.

The challenged provision was recognised as not being in conformity with the Constitution of the Russian Federation insofar as within the current legal framework it allows reversal of execution of a final judicial act in such case where it is quashed due to new or newly discovered circumstances given that the presence of working relation was not challenged as such before courts, and the quashed judicial decision was not based on false information or false documents presented by a citizen.

Pending the necessary amendments to civil procedure legislation the challenged provision shall be applied in accordance with the rules established therein to instances of review due to new or newly discovered circumstances of judicial decisions in cases on levying monetary sums under demands based on working relations where the presence of such relations was not challenged before courts as such, and the quashed judicial decision was not based on false information or false documents presented by a citizen.