

By the Judgement of 20 June 2024 No.31-II, the Constitutional Court assessed constitutionality of Article 183 of Arbitration Procedure Code of the Russian Federation

This legal provision has been the subject of consideration insofar as it serves as a basis for regulation (in conjunction with other provisions of the procedural codes) the issue of the period within which the persons mentioned therein may apply to the arbitration court for indexation of the awarded sums to the date on which the debtor performed the judicial act.

The challenged provision was found to be inconsistent with the Constitution in that, in conjunction with the mentioned provisions, it allows (in the presence of a legal gap) the arbitrary determination of such a period.

Until appropriate amendments are made, the claimant or the debtor shall have the right to apply to the arbitration court for indexation of the sums awarded within a period not exceeding one year from the date of performance of the judicial act by the debtor.