

## წარმატებული საქმე



საჯარო მოხელემ საია-ს დახმარებით სასამართლო დავა მოიგო

## A public servant has won a lawsuit with the assistance of GYLA

A person fired due to reorganization has won a dispute with the Telavi Municipality City Hall. GYLA represented and protected the person's interests. The court of all three instances found that the dismissal did not comply with the requirements of the law; therefore, Telavi Municipality City Hall was instructed to reinstate the dismissed employee to the equivalent position and reimbursement of the outstanding salary from January 30, 2018, until the day of reinstatement in service.

The dismissed person was appealing against the decision by which the person was enrolled in the reserve of officials (factual termination of employment relations due to staff redundancy). He claimed that his dismissal was unlawful because the position he had previously held in the administrative body had not been revoked, that it still existed for the same functional purpose, and that a competition had been announced for the same position.

The court found that the administrative body had issued an order for the employee to

# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



be placed in the reserve of officials in violation of the mobility procedure.

The courts of all three instances have unequivocally established the circumstance that the position held by the plaintiff existed in the agency and a competition was announced to fill it, which was why the disputed decision to enroll the officials in the reserve due to the inability of the plaintiff to move was unjustified.

The case has been under consideration in the common courts for 4 years.