

# SUPREME ADMINISTRATIVE COURT OF UKRAINE

## Ruling

September 16, 2014

Kyiv

K / 800/48116/14

**Judge of the Supreme Administrative Court of Ukraine Chumachenko T.A., having considered the cassation appeal** of International charitable organization "Environment-People-Law" regarding the resolution of Kyiv Administrative Court of Appeal of July 10, 2014 on the lawsuit of International charitable organization "Environment-People-Law" against the Cabinet of Ministers of Ukraine, the State Geology and Minerals Service of Ukraine on recognizing illegal omissions and obliging to take actions, -

### **determined that:**

International charitable organization "Environment-People-Law" appealed to the Supreme Administrative Court of Ukraine with a cassation appeal against the decision of Kyiv Administrative Court of Appeal of July 10, 2014.

Along with this, the complainant filed a motion to renew the deadline for filing a cassation appeal, stating that the deadline for appealing the decision of Kyiv Administrative Court of Appeal of July 10, 2014 was missed by her for well-grounded reasons, but there is no evidence of this in the cassation appeal file.

Given the lack of proper evidence to substantiate the motion filed by the complainant, there are no grounds for recognizing valid the reasons for missing the deadline for filing a cassation appeal.

Pursuant to the provisions of Part 4 of Article 214 of the Code of Administrative Proceedings of Ukraine, a cassation appeal shall remain without proceedings if it is filed after the expiration of the time limits established by Article 212 of this Code and the person who filed it does not raise the issue of renewal or if the reasons indicated in the motion are found ungrounded. In this case, within thirty days from the date of receipt of the resolution on leaving the cassation appeal without proceedings, the person has the right to apply to the court of cassation with a motion for renewal of terms or to indicate other grounds for renewal.

In such circumstances, the cassation appeal should be left without proceedings in order to enable the plaintiff to state valid reasons and to attach appropriate evidence to support his / her motion.

Pursuant to Articles 213 and 214 of the Code of Administrative Proceedings of Ukraine, -

### **ruled:**

**The cassation appeal** of International charitable organization "Environment-People-Law" on the resolution of Kyiv Administrative Court of Appeal of July 10, 2014 on the lawsuit of International charitable organization "Environment-People-Law" against the Cabinet of Ministers of Ukraine, the State Geology and Minerals Service of Ukraine on recognizing illegal omissions and obliging to take actions - to leave without proceedings setting the deadline for elimination of deficiencies - thirty days from the date of receipt of the ruling.

To send a copy of the ruling to the plaintiff. The ruling is not subject to appeal.

Judge

T.A. Chumachenko