



EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

FIRST SECTION

DECISION

Applications nos. 29865/08, 42014/08, 45250/08, 49553/08, 54387/08,
56796/08, 56799/08, 58056/08

by Irina Mikhaylovna NIKOLAYEVA
and other “Privileged Pensioners”
against Russia

The European Court of Human Rights (First Section), sitting on
30 September 2010 as a Committee composed of:

Nina Vajić, *President*,

Anatoly Kovler,

Giorgio Malinverni, *judges*,

and André Wampach, *Deputy Section Registrar*,

Having regard to the above applications,

Having deliberated, decides as follows:

THE FACTS

The applications were lodged by Ms Irina Mikhaylovna Nikolayeva (born in 1931 and deceased in 2008), Mr Mikhail Ivanovich Grachev (born in 1929), Ms Rashida Menirovna Kargina (born in 1932), Ms Galina Petrovna Marinushkina (born in 1952), Ms Anna Akimovna Gracheva (born in 1930), Ms Lidiya Dmitriyevna Firsova (born in 1930), Ms Alevtina Petrovna Shoshkina (born in 1952), and Ms Natalya Pavlovna Rulkova (born in 1944), (“the applicants”).

The applicants are Russian citizens who live in the Moscow Region. They were represented before the Court by Mr I. Fedotov, Mr G. Migay, and Ms L. Yerokhina, consultants from the Moscow Region. The Russian Government (“the Government”) were represented by Mr G. Matyushkin,

the Representative of the Russian Federation at the European Court of Human Rights.

The facts of the case, as submitted by the parties, may be summarised as follows. The applicants, old-age pensioners from the Moscow Region, sued a pension authority for miscalculating their pensions. Binding judgments passed in their favour were quashed due to discovery of new circumstances.

COMPLAINT

The applicants complained under Article 6 of the Convention and Article 1 of Protocol No. 1 that the quashing of the binding judgments was unjustified.

THE LAW

In view of the similarity of the applications, the Court joins them.

The applications were communicated to the Government, who submitted their observations on the admissibility and merits. The applicants were invited to submit their observations in reply.

The representative of Ms Nikolayeva informed the Court that she had died in 2008. No next of kin expressed a wish to take over Ms Nikolayeva's application.

The representative of Mr Grachev, Ms Gracheva, and Ms Rulkova informed the Court that the applicants had lost interest in pursuing their applications.

Mss Shoshkina, Firsova, Marinushkina, and Kargina failed to submit their observations despite reminders sent by the Court.

In these circumstances the Court considers that the applicants no longer wish to pursue their applications, within the meaning of Article 37 § 1 (a) of the Convention. Furthermore, in accordance with Article 37 § 1 *in fine*, the Court finds no special circumstances regarding respect for human rights as defined in the Convention and its Protocols which require the continued examination of the case.

In view of the above, it is appropriate to strike the cases out of the list.

For these reasons, the Court unanimously

Decides to join the applications and strike them out of its list of cases.

André Wampach
Deputy Registrar

Nina Vajić
President