

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

SECOND SECTION

DECISION

Application no. 20152/05
Yunus BUNLU
against Turkey

The European Court of Human Rights (Second Section), sitting on 27 November 2012 as a Committee composed of:

Peer Lorenzen, *President,*
András Sajó,
Nebojša Vučinić, *judges,*
and Françoise Elens-Passos, *Deputy Section Registrar,*

Having regard to the above application lodged on 13 May 2005,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Yunus Bunlu, is a Turkish national, who was born in 1980 and lives in Şırnak. He was represented before the Court by Ms O. Dabakoğlu, a lawyer practising in Ankara.

On 1 November 2001, during his time at the army, the applicant was diagnosed with meningitis, which rendered him inadequate for military service. Subsequently, he brought compensation proceedings before the Supreme Military Administrative Court, claiming that his illness resulted from the lack of hygiene at the military premises. On 10 November 2004 the court dismissed the case, finding that there was no negligence of the authorities which might have caused the disease.

Without invoking any Article of the Convention, the applicant argues that the administration bore liability for his medical condition.

By a letter dated 5 June 2012, sent by registered post, the applicant's representative was requested to submit a document which indicated the date the applicant was notified of the domestic court's judgment. The applicant's representative's attention was drawn to Article 37 § 1 (a) of the Convention, which provides that the Court may strike a case out of its list of cases where the circumstances lead to the conclusion that the applicant does not intend to pursue the application. The letter was returned to the Registry as no one resided at the address which had been given by the applicant's lawyer to the Court.

THE LAW

The Court considers that, in these circumstances, the applicant may be regarded as no longer wishing to pursue his application, 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 case out of the list.

For these reasons, the Court unanimously

Decides to strike the application out of its list of cases.

Françoise Elens-Passos
Deputy Registrar

Peer Lorenzen
President