

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

THIRD SECTION

DECISION

Application no. 3462/03
by Elena CAZANA
against Romania

The European Court of Human Rights (Third Section), sitting on 11 October 2011 as a Committee composed of:

Alvina Gyulumyan, *President,*
Luis López Guerra,
Nona Tsotsoria, *judges,*

and Marialena Tsirli, *Deputy Section Registrar,*

Having regard to the above application lodged on 7 January 2003,

Having deliberated, decides as follows:

THE FACTS

The applicant, Ms Elena Cazana, is a Romanian national who was born in 1920 and lives in Braşov. The Romanian Government ("the Government") were represented by their Agent, Mr Răzvan-Horaţiu Radu, from the Ministry of Foreign Affairs.

Relying on Article 6 § 1 of the Convention the applicant complained of the unfairness of the domestic sets of proceedings she was a party to. She argued that the domestic courts had wrongfully assessed the evidence and misinterpreted the applicable legal provisions, that the proceedings had been excessively lengthy and that the domestic courts had breached her right to a fair trial by quashing a final judgment delivered in her favour by way of an extraordinary appeal to review (*revizuire*) proceedings. Invoking Article 1 of Protocol No. 1 to the Convention the applicant complained of a breach of her right to the peaceful enjoyment of her possessions.

On 5 July 2010 the Court decided to give notice to the Government of the applicant's above-mentioned complaints under Articles 6 § 1 and 1 of Protocol No. 1.

On 2 November 2010 the Government submitted their observations on the admissibility and merits of the application. These were forwarded on 24 November 2010 to the applicant, who was invited to submit observations in reply by 10 January 2011.

On 10 September and 6 December 2010 the applicant informed the Court that she wanted to withdraw the application as in July 2010 the parties had signed a written agreement to end the proceedings before the Court.

THE LAW

In the light of the foregoing, and in the absence of any special circumstances regarding respect for the rights guaranteed by the Convention or its Protocols, the Court considers that it is no longer justified to continue the examination of the application within the meaning of Article 37 § 1 (a) of the Convention.

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.

Marialena Tsirli Deputy Registrar	Alvina Gyulumyan President