

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

FOURTH SECTION

DECISION

Applications nos. 47234/22 and 48335/22
Heribert Ingomar HEUBERER against Austria
and Manfred HOZA against Austria

The European Court of Human Rights (Fourth Section), sitting on 3 October 2024 as a Committee composed of:

Anne Louise Bormann*, President*,
Sebastian Răduleţu,
Mateja Đurović*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above applications lodged on the various dates indicated in the appended table,

Having regard to the formal declarations accepting a friendly settlement of the cases,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The list of applicants is set out in the appended table.

The applicants' complaints under Article 6 § 1 of the Convention concerning the excessive length of civil proceedings were communicated to the Austrian Government ("the Government").

The Court received the friendly-settlement declarations, signed by the parties, under which the applicants agreed to waive any further claims against Austria in respect of the facts giving rise to these applications, subject to an undertaking by the Government to pay them the amounts detailed in the appended table. These amounts will be payable within three months from the date of notification of the Court's decision. In the event of failure to pay these amounts within the above-mentioned three-month period, the Government undertake to pay simple interest on them, from the expiry of that period until settlement, at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points.

The payment will constitute the final resolution of the cases.

THE LAW

Having regard to the similar subject matter of the applications, the Court finds it appropriate to examine them jointly in a single decision.

The Court takes note of the friendly settlement reached between the parties. It is satisfied that the settlement is based on respect for human rights as defined in the Convention and the Protocols thereto and finds no reasons to justify a continued examination of the applications.

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;

Decides to strike the applications out of its list of cases in accordance with Article 39 of the Convention.

Done in English and notified in writing on 24 October 2024.

Viktoriya Maradudina Acting Deputy Registrar	Anne Louise Bormann President

APPENDIX

List of applications raising complaints under Article 6 § 1 of the Convention (excessive length of civil proceedings)

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Date of receipt of Government's declaration	Date of receipt of Applicant's declaration	Amount awarded for pecuniary and non-pecuniary damage, costs and expenses (in euros)[1]
1.	47234/22 28/09/2022	**Heribert Ingomar HEUBERER** 1949	Wageneder Georg St. Florian	27/08/2024	02/08/2024	1,500
2.	48335/22 03/10/2022	**Manfred HOZA** 1947		29/08/2024	22/07/2024	5,600

[1] Plus any tax that may be chargeable to the applicants.