The European Commission of Human Rights sitting in private on 13 October 1986, the following members being present:

MM C.A. NØRGAARD, President
J.A. FROWEIN
F. ERMACORA
E. BUSUTTIL
G. JÖRUNDSSON
G. TENEKIDES
S. TRECHSEL
B. KIERNAN
A.S. GÖZÜBÜYÜK
A. WEITZEL
J.C. SOYER
H.G. SCHERMERS
H. DANELIUS
G. BATLINER
J. CAMPINOS
Mrs G.H. THUNE
Sir Basil HALL
Mr F. MARTINEZ

Mr H.C. KRÜGER, Secretary to the Commission

Having regard to Article 25 (art. 25) of the Convention for the Protection of Human Rights and Fundamental Freedoms;

Having regard to the application introduced on 2 June 1983 by M. J. against the United Kingdom and registered on 7 June 1983 under file No. 10424/83;

Having regard to

- reports provided for in Rule 40 of the Rules of Procedure of the Commission;

- the Commission's decision of 7 December 1983 to bring the application to the notice of the respondent Government without requesting the parties' observations at that stage pending the outcome of the test case of Mmes Abdulaziz, Cabales and Balkandali v. the United Kingdom;

- the information provided by the Government on 16 April 1986;

- the applicant's failure to keep the Commission informed of her intentions regarding the present application;

Having deliberated;

Decides as follows:

THE FACTS

The applicant is a citizen of Morocco, born in 1958, who is lawfully settled in the United Kingdom. She is represented before the Commission by the Joint Council for the Welfare of Immigrants, London.

The applicant originally complained to the Commission of the refusal by the British immigration authorities to allow her Moroccan husband to remain with her in the United Kingdom. She had invoked Articles 3, 8 and 14 (art. 3, art. 8, art. 14) of the Convention.

Following the communication of the application to the respondent Government, pursuant to Rule 42 para. 2 (b) of the Commission's Rules of Procedure, and the Commission's Report (12.5.83) and the judgment

(28.5.85) of the European Court of Human Rights in the test case of Mmes Abdulaziz, Cabales and Balkandali v. the United Kingdom, the Government reviewed the applicant's case. On 16 April 1986 the Government informed the Commission that the applicant's husband has been granted twelve months' leave to remain in the United Kingdom (renewable indefinitely).

The applicant's representatives were then asked whether, in view of this development, the applicant wished to maintain her application to the Commission. No reply has been received to this inquiry.

REASONS FOR THE DECISION

The Commission notes that the applicant's complaint has been resolved by the leave granted to her husband to remain in the United Kingdom and that the applicant has not kept the Commission informed, through her legal representatives, of her intentions regarding her case. In these circumstances, the Commission finds that the applicant has lost interest in her application, and that there are no reasons of a general character affecting the observance of the Convention which require its further examination.

For these reasons, the Commission

DECIDES TO STRIKE THE APPLICATION OFF ITS LIST OF CASES.

Secretary to the Commission President of the Commission

(H.C. KRÜGER) (C.A. NØRGAARD)