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

THIRD SECTION

DECISION

Application no. 35182/15
Dhimitraq LUBONJA
against Albania

The European Court of Human Rights (Third Section), sitting on 9 March 2023 as a Committee composed of:

Ioannis Ktistakis*, President*,
Darian Pavli,
Andreas Zünd*, judges*,
and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 17 July 2015,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Dhimitraq Lubonja, was born in 1949. He was represented by Ms E. Lubonja.

The applicant's complaints under Article 6 § 1 concerning the right to attend the stay-of-enforcement proceedings and his right to a hearing "within a reasonable time" were communicated to the Albanian Government ("the Government").

By letters of 28 April and 19 May 2022 the Government's written observations in Albanian and English were sent to the applicant's representative who was invited to submit by 9 June 2022 any written observations she wished to make in reply on behalf of the applicant, together with any claims for just satisfaction. No reply was received to these letters.

By letter dated 4 October 2022 sent by registered post, the applicant's representative was notified that the period allowed for submission of the observations on behalf of the applicant had expired on 9 June 2022 and that no extension of time had been requested. The applicant's representative's attention was drawn to Article 37 § 1 (a) of the Convention, which provides that the Court may strike an application out of its list of cases where the circumstances lead to the conclusion that the applicant does not intend to

pursue the application. The representative received that letter on 20 October 2022. However, no response has followed.

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 and the Protocols thereto, the Court, in accordance with Article 37 § 1 (a) of the Convention, considers that it is no longer justified to continue the examination of the application.

Accordingly, the case should be struck out of the list.

For these reasons, the Court, unanimously,

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

Done in English and notified in writing on 30 March 2023.

Viktoriya Maradudina Acting Deputy Registrar	Ioannis Ktistakis President