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

FOURTH SECTION

DECISION

Application no. 38189/12
Jan MALECKI
against Poland

The European Court of Human Rights (Fourth Section), sitting on 2 February 2016 as a Committee composed of:
Nona Tsotsoria, *President,*
Vincent A. De Gaetano,
Krzysztof Wojtyczek, *judges,*
and Fatoş Aracı, *Deputy Section Registrar,*
Having regard to the above application lodged on 8 May 2012,
Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Jan Malecki, was a Polish national, who was born in 1959 and lived in Zambrów.

The Polish Government ("the Government") were represented by their Agent, Ms J. Chrzanowska, of the Ministry of Foreign Affairs.

The applicant complained under Article 14 of the Convention and Article 1 of Protocol No. 1 to the Convention of the Convention about being paid half of the minimum statutory wage in the period between 1 September 2003 and 8 March 2011.

The applicant's complaints were communicated to the Government on 3 July 2015. On 20 July 2015 the Registry's letter was returned to the Court with a death certificate proving that the applicant died on 30 March 2015.

THE LAW

The Court notes that the applicant died on 30 March 2015 and that no request has been submitted by the applicant's heirs to pursue the examination of the case. In these circumstances the Court concludes, that it is no longer justified to continue the examination of the application within the meaning of Article 37 § 1 (c) 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 examination of the application to be continued. 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.

Done in English and notified in writing on 25 February 2016.

Fatoş Aracı
Deputy Registrar

Nona Tsotsoria
President