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

THIRD SECTION

DECISION

Application no. 16933/11
MD TIM
against Serbia

The European Court of Human Rights (Third Section), sitting on 20 September 2016 as a Committee composed of:

Pere Pastor Vilanova, *President,*
Branko Lubarda,
Georgios A. Serghides, *judges,*
and Fatoş Aracı, *Deputy Section Registrar,*

Having regard to the above application lodged on 31 January 2011,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, MD TIM, is a company with its seat in Belgrade, Serbia. It was represented before the Court by Mr M. Cvetković, a lawyer practicing in Belgrade.

The Serbian Government ("the Government") were represented by their Agent at the time, Ms V. Rodić.

The applicant complained under Articles 6 § 1 and 13 of the Convention and Article 1 of Protocol No. 1 to the Convention about the excessive length of civil proceedings which lasted between 19 April 2001 and 10 February 2011 and the lack of any redress in that connection.

The application had been communicated to the Government, who submitted their observations on the admissibility and merits. The observations were forwarded to the applicant, who was invited to submit its own observations and just satisfaction claims. No reply was received to the Registry's letter.

By letter dated 25 May 2016, sent by registered post, the applicant's representative was again requested to submit its observations by

15 June 2016. The applicant's representative's attention was drawn to Article 37 § 1 (a) of the Convention, which provides that the Court may strike a case out of its list of cases where the circumstances lead to the conclusion that the applicant does not intend to pursue the application. The applicant's representative received this letter on 3 June 2016. However, no response has been received.

THE LAW

The Court considers that, in these circumstances, the applicant may be regarded as no longer wishing to pursue his application, within the meaning of Article 37 § 1 (a) 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 continued examination of the case.

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 13 October 2016.

Fatoş Aracı
Deputy Registrar

Pere Pastor Vilanova
President