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

FIFTH SECTION

DECISION

Application no. 10145/08
Zaur OTIASHVILI
against Georgia

The European Court of Human Rights (Fifth Section), sitting on 19 September 2017 as a Committee composed of:

Síofra O'Leary, *President,*
Nona Tsotsoria,
Lətif Hüseynov, *judges,*

and Anne-Marie Dougin, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 23 January 2008,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

1. The applicant, Mr Zaur Otiashvili, is a Georgian national, who was born in 1943 and lives in Tbilisi. He was represented before the Court by Ms O. Shermadini and Ms Z. Zakarashvili, lawyers practising in Tbilisi.

2. The applicant's complaints under Articles 6 § 1 and 13 of the Convention and Article 1 of Protocol No. 1 concerning the alleged non-enforcement of a final judgment of 10 May 2006 were communicated to the Georgian Government ("the Government") who were represented by their Acting Agent, Ms Sh. Mezurnishvili, of the Ministry of Justice.

3. The applicant failed to respond to the Registry's last letter of 9 February 2017 (received by his representatives on 16 February 2017), reminding him that the period allowed for submission of his observations in reply had expired on 31 August 2016 and that no extension of time had been requested. His attention was drawn to Article 37 § 1 (a) of the Convention.

THE LAW

4. 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.

5. 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 12 October 2017.

Anne-Marie Dougin
Acting Deputy Registrar

Síofra O'Leary
President