

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

SECOND SECTION

DECISION

Application no. 23955/10
Gyula PÖLÖSKEI
against Hungary

The European Court of Human Rights (Second Section), sitting on 25 June 2013 as a committee composed of:

Peer Lorenzen, *President,*
András Sajó,
Nebojša Vučinić, *judges,*

and Françoise Elens-Passos, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 22 April 2010,

Having regard to the formal declarations accepting a friendly settlement of the case,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Gyula Pölöskei, is a Hungarian national, who was born in 1955 and lives in Budapest. He was represented before the Court by Ms E. Pivarnyikné Juhász, a lawyer practising in Budapest.

The Hungarian Government ("the Government") were represented by Mr Z. Tallódi, Agent, Ministry of Public Administration and Justice.

The applicant complained under Article 6 of the Convention about the length of the civil proceedings to which he was a party.

On 2 and 29 April 2013 the Court received friendly settlement declarations signed by the parties under which the applicant agreed to waive any further claims against Hungary in respect of the facts giving rise to this application against an undertaking by the Government to pay him

EUR 5,000 (five thousand euros) to cover any pecuniary and non-pecuniary damage as well as costs and expenses, which will be converted into Hungarian forints at the rate applicable on the date of payment, and will be free of any taxes that may be applicable. It will be payable within three months from the date of notification of the decision taken by the Court. In the event of failure to pay this sum within the said three-month period, the Government undertook to pay simple interest on it, from the expiry of that period until settlement, at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points. The payment will constitute the final resolution of the case.

THE LAW

The Court takes note of the friendly settlement reached between the parties. It is satisfied that the settlement is based on respect for human rights as defined in the Convention and its Protocols and finds no reasons to justify a continued examination of the application. 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 in accordance with Article 39 of the Convention.

Françoise Elens-Passos
Acting Deputy Registrar

Peer Lorenzen
President