

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

FOURTH SECTION

DECISION

Application no. 44173/16
Borislava POŠTIĆ
against Serbia

The European Court of Human Rights (Fourth Section), sitting on 4 April 2024 as a Committee composed of:

Anne Louise Bormann*, President*,
Branko Lubarda,
Sebastian Răduleţu*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 21 July 2016,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant's details are set out in the appended table.

She was represented by Mr M. Romčević, a lawyer practising in Belgrade.

The applicant's complaint under Article 6 of the Convention that the Constitutional Court had departed from its case-law without providing any explanation for doing so was communicated to the Serbian Government ("the Government") on 13 May 2022.

The Government submitted that on 24 November 2022 the Constitutional Court had re-opened the proceedings with a view to correcting the error made in the applicant's case and ruled in favour of the applicant in accordance with its well-established case-law. The applicant did not dispute that fact.

THE LAW

In view of the above, the Court considers that the matter has been resolved within the meaning of Article 37 § 1 (b) of the Convention and that respect for human rights as defined in the Convention and the Protocols thereto does not require it to continue the examination of the application under Article 37 § 1 *in fine*.

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 25 April 2024.

Viktoriya Maradudina Acting Deputy Registrar	Anne Louise Bormann President

APPENDIX

Application no. Date of introduction	Applicant's name Year of birth
44173/16 21/07/2016	**Borislava POŠTIĆ** 1955