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

THIRD SECTION

DECISION

Application no. 6766/05
Zorka RADIVOJEVIĆ
against Serbia

The European Court of Human Rights (Third Section), sitting on 15 April 2014 as a Committee composed of:

Ján Šikuta, *President,*
Dragoljub Popović,
Iulia Antoanella Motoc, *judges,*
and Marialena Tsirli, *Deputy Section Registrar,*

Having regard to the above application lodged on 12 February 2005,

Having deliberated, decides as follows:

THE FACTS AND PROCEDURE

1. The applicant, Ms Zorka Radivojević, was a Serbian national, who was born in 1937 and lived in Ravni Topolovac. The Serbian Government ("the Government") were represented by their successive Agents, Mr S. Carić and Ms V. Rodić.

2. The facts of the case, as submitted by the parties, may be summarised as follows.

3. On 31 May 1962 the applicant was dismissed from work. She subsequently instituted four sets of civil proceedings seeking annulment of her dismissal, reinstatement, damages and employment-related contributions. The last set of the proceedings was finally completed on 27 January 2007.

4. On 10 April 2001 the applicant brought a civil action against company H., seeking repairs to her flat. On 20 November 2002 the Municipal Court (*Opštinski sud*) in Zrenjanin ruled in the applicant's favour, which judgment was upheld on appeal on 20 May 2003. On 6 August 2003 the Municipal Court issued the enforcement order, authorising the applicant to perform the necessary repairs herself or to

entrust them to a professional, the costs of which were to be covered by the company. On 9 October 2013 the Government informed the Court that the enforcement proceedings were formally closed on 25 May 2007 after the Municipal Court enforced its decision by ordering seizure of the funds from the company's bank account and its transfer to the applicant's bank account.

5. On 10 November 2006 the Court decided to give notice to the Government of the applicant's complaints under Article 6 of the Convention and Article 1 of Protocol No. 1 thereto about the length of her civil and enforcement proceedings. It was also decided to rule on the admissibility and merits of the application at the same time (Article 29 § 3).

6. Following the exchange of observations on the admissibility and merits, on 6 June 2008 the applicant submitted her last update on the impugned domestic proceedings.

7. On 29 August 2013 the Court requested additional information from the Government on the state of the enforcement proceedings and the status of the company H. The letter informing the applicant accordingly was sent to her on the same date.

8. On 21 October 2013 the Court received the Government's reply, which was sent to the applicant for comments on 30 October 2013.

9. On 16 December 2013 and 3 January 2014 the correspondence of 30 October 2013 and 29 August 2013, respectively, was returned to the Registry with a note by the postal service indicating that the applicant had died many years ago and that the house was empty.

THE LAW

10. The Court notes that the applicant has died and that no request has been submitted by her 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 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.

Marialena Tsirli	Ján Šikuta
Deputy Registrar	President