

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

THIRD SECTION

DECISION

Application no. 18346/03
by Rodica ŞANDRU
against Romania

The European Court of Human Rights (Third Section), sitting on 11 October 2011 as a Committee composed of:

Ján Šikuta, *President,*
Ineta Ziemele,
Kristina Pardalos, *judges,*

and Marialena Tsirli, *Deputy Section Registrar,*

Having regard to the above application lodged on 23 April 2003,

Having deliberated, decides as follows:

THE FACTS

The applicant, Ms Rodica Şandru, is a Romanian national who was born in 1940 and lives in Craiova. She is represented before the Court by Ms E. Oancea, a lawyer practising in Craiova. The Romanian Government ("the Government") were represented by their Agent, Mr Răzvan-Horaţiu Radu, from the Ministry of Foreign Affairs.

Relying on Articles 6 § 1 of the Convention the applicant complained of the length of the domestic proceedings and the non-enforcement of a final judgment restoring to her possession part of an immovable property she was entitled to. Invoking Article 1 of Protocol No. 1 to the Convention the applicant complained of a breach of her property rights in so far as the authorities failed to restore to her possession part of the immovable property she was entitled to following a final court judgment and in so far as she was unable to obtain a building permit to construct a fence in respect of her

property. Relying on Article 8 of the Convention the applicant complained of a breach of her right to reputation in so far as she and her family had been insulted in a press article published by a local newspaper.

The applicant's complaints under Articles 6 § 1 and 1 of Protocol No. 1 to the Convention concerning the non-enforcement of a final court judgment and the alleged breach of her property rights were communicated to the Government, who submitted their observations on the admissibility and merits of the case. The observations were forwarded to the applicant's representative, who was invited to submit observations on the applicant's behalf. No reply was received to the Court's letter.

By a letter dated 10 January 2011, sent by registered post, and copied to the applicant, the applicant's representative was notified that the period allowed for submission of observations on the applicant's behalf had expired on 10 December 2010 and that no extension of time had been requested. 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 21 January 2011. 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 her 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.

Marialena Tsirli	Ján Šikuta
Deputy Registrar	President