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

FOURTH SECTION

DECISION

Application no. 47800/11
Ioan Adrian STĂNESCU against Romania

The European Court of Human Rights (Fourth Section), sitting on 7 September 2017 as a Committee composed of:

Vincent A. De Gaetano, *President,*
Georges Ravarani,
Marko Bošnjak, *judges,*

and Liv Tigerstedt, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 25 July 2011,

Having regard to the observations submitted by the respondent Government and the observations in reply submitted by the applicant,

Having deliberated, decides as follows:

FACTS

The applicant was born in 1953 and lives in Bucharest.

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

On 9 March 2005 a privately owned company brought civil proceedings before the domestic courts against the applicant and against another seven third parties, requesting the recovery of possession over 4,200 sq.m of land in Corbeanca.

On 28 March 2005 the applicant lodged an action for the annulment of the company's sale contract and an action for responsibility for eviction against a third party within the same set of proceedings.

By judgment of 16 November 2005 the Buftea Court of First Instance dismissed the actions.

Both the company and the applicant lodged appeals against the judgment. On 10 April 2009 the Bucharest County Court allowed the company's appeal holding that it was the rightful owner of the land. The applicant's

appeal was partially allowed only with respect to the claim on responsibility for eviction.

In a final judgment of 31 January 2011, the Bucharest Court of Appeal partially allowed an appeal by the applicant on points of law relating to the responsibility for eviction claim.

THE LAW

The applicant complained under Article 6 § 1 of the Convention that the length of the civil proceedings was excessive and failed to meet the "reasonable time" requirements.

The Court notes that the proceedings at issue began on 9 March 2005 and ended on 31 January 2011. Their overall length is thus five years, ten months and twenty-four days for three levels of jurisdiction.

Having regard to the overall length of the proceedings, the relevant complexity of the case and the number of parties involved, the applicant's conduct and that of the authorities, including the diligence they displayed while dealing with the case, and the levels of jurisdiction involved, the length of the proceedings was not excessive and met the "reasonable time" requirement (see, among other authorities, *Farcaş and Others v. Romania*, no. 67020/01, §§ 31-35, 10 November 2005).

In view of the above, the Court finds that the application is manifestly ill-founded and must be rejected in accordance with Article 35 §§ 3 and 4 of the Convention.

For these reasons, the Court, unanimously,

Declares the application inadmissible.

Done in English and notified in writing on 28 September 2017.

Liv Tigerstedt
Acting Deputy Registrar

Vincent A. De Gaetano
President