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

THIRD SECTION

DECISION

Application no. 46246/13
Nebojša VJEŠTICA
against Serbia

The European Court of Human Rights (Third Section), sitting on 2 February 2016 as a Committee composed of:

Helena Jäderblom, *President,*
Dmitry Dedov,
Branko Lubarda, *judges,*

and Marialena Tsirli, *Deputy Section Registrar,*

Having regard to the above application lodged on 17 May 2013,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Nebojša Vještica, is a Serbian national, who was born in 1965 and lives in Surdulica. He was represented before the Court by Mr S. Petrović, a lawyer practising in Vladičin Han.

The Serbian Government ("the Government") were represented by their Agent, Ms V. Rodić.

The applicant complained under Articles 6 § 1 and 13 of the Convention and Article 1 of Protocol No. 1 to the Convention about the non-enforcement of final judgments of the Municipal Court in Vladičin Han of 2 September 2003, 25 February 2004 and 10 February 2005 against *DP PK "Delišes"*, a socially-owned company.

The application had been communicated to the Government, who submitted their observations on the admissibility and merits. The observations were forwarded to the applicant, who was invited to submit his own observations. No reply was received to the Registry's letter.

By letter dated 29 October 2015, sent by registered post, the applicant's representative was notified that the period allowed for submission of his

observations had expired on 28 March 2014 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 12 November 2015. 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 his 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.

Done in English and notified in writing on 3 March 2016.

Marialena Tsirli
Deputy Registrar

Helena Jäderblom
President