



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

FIRST SECTION

DECISION

Application no. 25514/05
Vitaliy Mikhaylovich NOVOPAVLOVSKIY
against Russia

The European Court of Human Rights (First Section), sitting on 27 March 2012 as a Committee composed of:

Peer Lorenzen, *President*,

Khanlar Hajiyev,

Julia Laffranque, *judges*,

and André Wampach, *Deputy Section Registrar*,

Having regard to the above application lodged on 19 June 2005,

Having deliberated, decides as follows:

THE FACTS

The applicant, Mr Vitaliy Mikhaylovich Novopavlovskiy, is a Russian national who was born in 1941 and lives in Krasnoyarsk. The Russian Government (“the Government”) were represented by Mr G. Matyushkin, Representative of the Russian Federation at the European Court of Human Rights.

The applicant complained, *inter alia*, about the failure of the State to afford him adequate protection from interference with his rights to respect for his home and his property and the excessive length of the proceedings in his civil case.

On 25 March 2011 questions were put to the Government as to the compliance with the positive obligations under Article 8 of the Convention and Article 1 of Protocol No. 1 and the “reasonable time” requirement under Article 6 § 1 of the Convention.

Following receipt of the Government's observations on the admissibility and merits on 25 July 2011, the applicant was invited to submit, by 3 October 2011, his observations in reply. No reply was received to the Registry's letter.

By letter dated 14 November 2011, sent by registered post, the applicant was notified that the period allowed for submission of his observations had expired and that no extension of time had been requested. The applicant'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.

On 14 February 2012 the letter returned undelivered with a message saying that the recipient could not be found at the given address.

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.

André Wampach
Deputy Registrar

Peer Lorenzen
President