



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

FIRST SECTION

DECISION

Application no. 52898/09
Lyubov Vasilyevna MAKSIMOVA
against Russia

The European Court of Human Rights (First Section), sitting on 3 July 2012 as a Committee composed of:

Peer Lorenzen, *President*,

Khanlar Hajiyeu,

Julia Laffranque, *judges*,

and André Wampach, *Deputy Section Registrar*,

Having regard to the above application lodged on 9 September 2009,

Having deliberated, decides as follows:

THE FACTS

The applicant, Ms Lyubov Vasilyevna Maksimova, is a Russian national, who was born on 28 July 1960 and lives in Gremyachinsk.

The Russian Government (“the Government”) were represented by Mr G. Matyushkin, the Representative of the Russian Federation at the European Court of Human Rights.

In this case the applicant complained under Article 6 § 1 of the Convention and under Article 1 of Protocol No. 1 about non-enforcement of a domestic judgement ordering to provide her with monetary subsidy for housing.

On 10 March 2010 the Court communicated the applicant’s complaint to the respondent Government under Rule 54 § 2 (b) of the Rules of Court. The Government submitted their observations on the admissibility and merits of the case on 15 September 2010.

By letter of 27 September 2010, the applicant was invited to submit, by 29 November 2010, her comments on the Government's observations, together with any claims for just satisfaction. No reply was received to the Court's letter.

In view of the absence of the applicant's reply, the applicant was informed, by letter of 16 February 2011 sent by registered mail, that the time-limit for submission of her observations or claims for just satisfaction had expired on 29 November 2010, 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. The letter was returned to the Court unopened with a note that the applicant had moved.

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.

André Wampach
Deputy Registrar

Peer Lorenzen
President