



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

FIRST SECTION

DECISION

Application no. 46735/10
Vladimir Mikhaylovich VOROZHBIT
against Russia

The European Court of Human Rights (First Section), sitting on 17 September 2013 as a committee composed of:

Khanlar Hajiyeu, *President*,

Julia Laffranque,

Dmitry Dedov, *judges*,

and André Wampach, *Deputy Section Registrar*,

Having regard to the above application lodged on 16 June 2010,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Vladimir Mikhaylovich Vorozhbit, is a Russian national, who was born in 1960 and lives in Vlasikha (Moscow Region). He was represented before the Court by Mr A. Forsov, a lawyer practising in Moscow.

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

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

On unspecified dates the applicant, a retired military officer, brought two civil actions against the military authorities concerning his entitlement to a free housing. His claims were dismissed by final judgments of the Moscow Regional Court on 17 December 2009 and 2 March 2010.

The applicant made several complaints under Article 6 of the Convention about the unfairness of the proceedings and their outcome. He also invoked Article 13 of the Convention and Article 2 of Protocol no. 4.

The applicant's complaints concerning failure by the courts to state reasons for their judgments in public and to afford him an opportunity to attend the appeal hearing of 2 March 2010 were 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 9 November 2012, sent by registered post, the applicant's representative was notified that the period allowed for submission of his observations had expired on 4 September 2012 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 2 December 2012. 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.

André Wampach
Deputy Registrar

Khanlar Hajiyev
President