

FOREIGN CLAIMS SETTLEMENT COMMISSION
OF THE UNITED STATES
Washington, D. C.

In the Matter of the Claim of

✓ DEZSO RADITS
119 West Grand Street
Elizabeth, New Jersey

Docket No. Y-1111

Decision No. 556

Under the Yugoslav Claims Agreement
of 1948 and the International Claims
Settlement Act of 1949

Counsel for Claimant:

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out 26, 1954

FINAL DECISION

The Commission by its Proposed Decision, dated February 25, 1953, denied this claim in its entirety upon the grounds that claimant's property was not nationalized or taken by the Government of Yugoslavia. Claimant thereafter requested a pre-hearing and a hearing. Pursuant thereto, a pre-hearing conference was held on May 13, 1953 at which pre-hearing, claimant's then attorney offered into evidence a decree of the People's District Committee, Murska Sobota, dated April 17, 1953 which recited, inter alia that claimant's real property had been nationalized on April 28, 1948 pursuant to the Nationalization Law of that date.

The Government of Yugoslavia thereafter, by memorandum dated May 11, 1954, advised the Commission that the aforementioned decree of April 17, 1953 was procured as the result of false representation made by claimant's representative with respect to claimant's loss of his Yugoslav citizenship; that when the Yugoslav Federal Public Solicitor's office learned about it, he caused a motion to be brought on before the People's District Committee which rendered the decree of April 17, 1953, and that such Committee by its decision of February 11, 1954, denationalized claimant's property.

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The Government of Yugoslavia filed with the Commission a certified copy of the latter decision. A copy of that decision, which annulled the aforementioned decree of April 17, 1953, and a copy of the Yugoslav Government memorandum of May 11, 1954, were mailed to claimant's attorney by the Commission.

A hearing on this claim was thereafter held on September 7, 1954. At that hearing, no witnesses testified nor did claimant's attorney adduce any additional evidence. He confined his argument to questions of law, particularly relating to dual nationality. Subsequently, claimant's attorney filed a memorandum brief in the claim of MILE RASETA (Docket No. Y-1112), which involves the same question of citizenship as that involved in this claim, and asked that the objections and arguments with respect to the denial of that claim also be considered as having been made on this claim. The Commission has done so and for the reasons stated in its Final Decision on the claim of MILE RASETA is of the opinion that they are unfounded.*

Accordingly, the Commission affirms its Proposed Decision on this claim in all respects.

Dated at Washington, D. C. NOV 4 1954

* A copy of the Final Decision in the Raseta claim is annexed.

DEPARTMENT OF STATE
INTERNATIONAL CLAIMS COMMISSION
OF THE UNITED STATES

In the Matter of the Claim of

DEZSO RADITS

Under the Yugoslav Claims Agreement
of 1948 and the International Claims
Settlement Act of 1949

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PROPOSED DECISION

MARVEL, CHAIRMAN. This claim seeks the recovery of approximately fourteen thousand dollars, the asserted value of real property alleged to have been nationalized or otherwise taken by the Yugoslav Government.

The claim is before this Commission upon the proceeding of the Solicitor of the Commission pursuant to Section 300.16 of the Rules of Practice and Procedure of the Commission.

Evidence before the Commission shows that claimant became a citizen of the United States by naturalization on September 24, 1925; and further, that claimant is the owner of real property registered in Docket Nos. 8 and 54, Township of Poljana. To qualify for an award from the fund established by the Yugoslav Claims Agreement of 1948, claimant must present proof that property owned by him has been nationalized or otherwise taken by the Yugoslav Government between the dates September 1, 1939 and July 19, 1948. There is no proof that such has occurred with respect to this real property. On the contrary, the evidence shows that the property has not been nationalized but is under the management of one Stefan Gombossy, a cousin of the claimant, with claimant's consent. The claimant

therefore fails to meet the requirements of the Yugoslav Claims Agreement of 1948 and the International Claims Settlement Act of 1949.

The claim is denied in whole.

February 25, 1953