

JUDGMENT OF THE COURT OF FIRST INSTANCE**of 23 January 2002****in Case T-386/00 Margarida Gonçalves v European Parliament⁽¹⁾****(Officials of the European Communities — Competition notice — Non-admission to a competition — Consistency between pleas put forward during the administrative procedure and those set out in the application — Admissibility — Statement of reasons — Administration's duty to have regard for the interests of officials and the principle of sound administration)**

(2002/C 97/22)

(Language of the case: French)

In Case T-386/00, Margarida Gonçalves, former member of the temporary staff, residing in Brussels, represented by L. Tinti, lawyer, with an address for service in Luxembourg, against European Parliament (Agents: J.F. De Wachter and D. Moore) — application to annul the decisions of the selection board rejecting the application of the applicant in internal competition B/172, establishing the list of suitable candidates and all decisions taken by the defendant on the basis of such decisions, and for compensation for the pecuniary and non-pecuniary damage allegedly suffered as a result of those decisions, — the Court of First Instance (Single Judge: M. Vilaras); Registrar: J. Plingers, Administrator, has given a judgment on 23 January 2002, the operative part of which is as follows:

1. *The application is dismissed.*
2. *The parties shall bear their own costs.*

⁽¹⁾ OJ 2001 C 61.

ORDER OF THE PRESIDENT OF THE COURT OF FIRST INSTANCE**of 7 December 2001****in Case T-192/01 R: Lior GEIE v Commission of the European Communities****(Procedure for interim relief — Payment under a contract — Interim measures — Urgency)**

(2002/C 97/23)

(Language of the case: French)

In Case T-192/01 R: Lior GEIE, established in Brussels, represented by V. Marien and J. Choucroun, lawyers, with an address

for service in Luxembourg, v Commission of the European Communities (Agent: H. van Lier) — application for an order requiring the Commission to pay the sum of 68 070 EUR in the context of ALTENER-AGORES contract No X-VII/4.1030/Z/99-085, together with interest at the Belgian statutory rate applying from 23 July 2001, to be paid within eight days from delivery of the decision to be given, or in default to pay a periodic penalty of 100 EUR for each day's delay — the President of the Court of First Instance made an order on 7 December 2001, the operative part of which is as follows:

1. *The application for interim measures is dismissed.*
2. *The costs are reserved.*

Action brought on 24 January 2002 by Falk-Ulrich von Hoff against the European Parliament**(Case T-13/02)**

(2002/C 97/24)

(Language of the case: German)

An action against the European Parliament was brought before the Court of First Instance of the European Communities on 24 January 2002 by Falk-Ulrich von Hoff, of Berlin (Germany), represented by B. Wägenbauer, lawyer.

The applicant claims that the Court should:

- annul the European Parliament's decision of 17 April 2001;
- order the European Parliament to pay to the applicant the installation allowance amounting to two months' salary, together with interest at the rate of 8 % from the date of the request (15 March);
- order the defendant to pay the costs.

Pleas in law and main arguments

In the context of the transfer of the liaison centre of the European People's Party from Bonn to Berlin, the applicant, whose place of employment was Brussels and who took over as head of the liaison centre, was moved to Berlin. He applied for the grant of an installation allowance pursuant to Article 5 of Annex VII to the Staff Regulations. The institution refused that application on the ground that the applicant had returned to live with his family, who had already been residing in Berlin prior to the transfer of the applicant.