

**JUDGMENT OF THE COURT OF FIRST INSTANCE**

of 11 July 2002

**in Case T-163/01: Juan Pedro Perez Escanilla v Commission of the European Communities** <sup>(1)</sup>**(Officials — Promotion — Consideration of comparative merits — Action for annulment)**

(2002/C 219/47)

(Language of the case: French)

In Case T-163/01: Juan Pedro Perez Escanilla, an official of the Commission of the European Communities, residing in Brussels, represented by J.-N. Louis and V. Peere, lawyers, with an address for service in Luxembourg, against Commission of the European Communities (Agent: C. Berardis-Kayser) — application for annulment of the decision of the Commission not to promote the applicant to Grade A 4 in the 1999 promotions procedure — the Court of First Instance (Fifth Chamber), composed of J.D. Cooke, President, R. García-Valdecasas and P. Lindh, Judges; J. Palacio González, Administrator, for the Registrar, gave a judgment on 11 July 2002, in which it:

1. *Annuls the decision of the Commission not to promote the applicant to Grade A 4 in the 1999 promotions procedure.*
2. *Orders the Commission to pay the costs.*

<sup>(1)</sup> OJ C 275 of 29.9.2001.

**JUDGMENT OF THE COURT OF FIRST INSTANCE**

of 11 July 2002

**in Case T-263/01: Petros Mavromichalis v Commission of the European Communities** <sup>(1)</sup>**(Officials — Prior complaint through official channels — Implied rejection — Classification in grade and step — Statement of reasons)**

(2002/C 219/48)

(Language of the case: Greek)

In Case T-263/01: Petros Mavromichalis, an official of the Commission of the European Communities, residing in Brus-

sels, represented by N. Korogiannakis, lawyer, against Commission of the European Communities (Agents: X. Yataganas and C. Berardis-Kayser) — application for the annulment of the decision of the Commission of 15 December 2000 appointing the applicant and classifying him in Grade A 5, step 1, with effect from 16 December 2000 — the Court of First Instance (Single Judge: M. Vilaras); J. Palacio González, Administrator, for the Registrar, gave a judgment on 11 July 2002, in which it:

1. *annuls the decision of the Commission of 15 December 2000 classifying the applicant in Grade A 5, step 1, with effect from 16 December 2000.*
2. *orders the Commission to pay the costs.*

<sup>(1)</sup> OJ C 3 of 5.1.2002.

**Action brought on 2 June 2002 by Pierre Tomarchio against Commission of the European Communities****(Case T-173/02)**

(2002/C 219/49)

(Language of the case: French)

An action against the Commission of the European Communities was brought before the Court of First Instance of the European Communities on 2 June 2002 by Pierre Tomarchio, residing in Nancy (France), represented by Nicolas Lhoëst, lawyer, with an address for service in Luxembourg.

The applicant claims that the Court should:

- annul the decision of the Commission of 27 July 2001 refusing to appoint the applicant to a higher grade in the category in accordance with Article 31(2) of the Staff Regulations;
- annul all other connected and/or subsequent decisions;
- in so far as necessary, annul the express decision which the Commission adopted on 12 February 2002 rejecting the complaint lodged by the applicant under Article 90(2) of the Staff Regulations;
- order the defendant to pay the costs.