

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 9 October 2002

in Case T-134/01: Hans Fuchs Versandschlachtere KG v Commission of the European Communities ⁽¹⁾

(Regulation (EC) No 111/1999 — Regulation (EC) No 1135/1999 — Food-aid to Russia — Invitation to tender for mobilisation — Invitation to tender for transport — Contractual relationship — Arbitration clause — Claim for performance of a contract — Admissibility — Provision of certificates for each means of transport — Default interest)

(2002/C 323/54)

(Language of the case: German)

In Case T-134/01, Hans Fuchs Versandschlachtere KG, established in Duisburg (Germany), represented by U. Schrömbges, L. Harings and C. Hütter, lawyers, v Commission of the European Communities (Agent: M. Niejahr): Application for an order that, primarily, the Commission or, alternatively, the Bundesanstalt für Landwirtschaft und Ernährung, pay a sum of DEM 13 130,04 (EUR 6 713,28), plus interest at an annual rate of 8 % from 1 March 2000, the Court of First Instance (Second Chamber), composed of: R. M. Moura Ramos, President, J. Pirrung and A. W. H. Meij, Judges; H. Jung, Registrar, has given a judgment on 9 October 2002, in which it:

1. Orders the Commission to pay to the applicant the sum of EUR 6 713,28, together with default interest thereon from 2 May 2000 until full payment. The rate of default interest to be applied is to be calculated on the basis of the European Central Bank's rate for its main refinancing operations, in force during the period concerned, plus two percentage points;
2. For the rest, dismisses the application;
3. Orders the Commission to pay the costs.

⁽¹⁾ OJ C 245 of 1.9.2001.

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 3 October 2002

in Case T-6/02: Michael Gerhard Franz Platte v Commission of the European Communities ⁽¹⁾

(Officials — Appointment — Classification in grade — Article 31(2) of the Staff Regulations)

(2002/C 323/55)

(Language of the case: French)

In Case T-6/02: Michael Gerhard Franz Platte, an official of the Commission of the European Communities, residing in Tielt-Winge, Belgium, represented by X. De Kesel and S. Peeters, lawyers, against Commission of the European Communities (Agent: V. Joris and C. Berardis-Kayser) — application for annulment of the Commission's decision of 31 January 2001 definitively classifying the applicant in grade C 5, step 3 — the Court of First Instance (Single Judge); B. Pastor, Deputy Registrar, gave a judgment on 3 October 2002, in which it:

1. Dismissed the application;
2. Ordered each of the parties to bear its own costs.

⁽¹⁾ OJ C 84 of 6.4.02.

ORDER OF THE COURT OF FIRST INSTANCE

of 30 September 2002

in Case T-25/01: Francisco Miguel França v Commission of the European Communities ⁽¹⁾

(Officials — Special leave for voting — Travelling time — Supporting evidence — Lack of jurisdiction — Duty of cooperation and fairness — Principle of proportionality — Action manifestly devoid of any basis in law)

(2002/C 323/56)

(Language of the case: Portuguese)

In Case T-25/01: Francisco Miguel Viana França, an official of the Commission of the European Communities, residing in Brussels, represented by G. Gentil Anastácio, lawyer, against