

Application for

Annulment of the Commission's decision of 27 March 2002 refusing to grant the applicant entitlement to the expatriation allowance provided for in Article 4 of Annex VII to the Staff Regulations of Officials of the European Communities and the allowances associated therewith.

Operative part of the judgment

The Court:

1. *dismisses the action;*
2. *orders the parties to bear their own costs.*

⁽¹⁾ OJ C 219, 14.9.2002

Judgment of the Court of First Instance of 25 October 2005 — Herrero Romeu v Commission

(Case T-298/02) ⁽¹⁾

(Officials — Remuneration — Expatriation allowance — Article 4(1)(a) of Annex VII to the Staff Regulations — Work done for another State — Meaning of habitual residence — Statement of grounds — Principle of equal treatment)

(2005/C 330/42)

Language of the case: Spanish

Parties

Applicant(s): Anna Herrero Romeu (Brussels, Belgium) (represented by: J. García-Gallardo Gil-Fournier, J. Guillem Carrau, D. Domínguez Pérez and A. Sayagués Torres, lawyers)

Defendant(s): Commission of the European Communities (represented by: J. Currall, Agent, and by J. Rivas-Andrés and J. Gutiérrez Gisbert, lawyers)

Application for

annulment of the Commission's decision of 10 June 2002 refusing to pay the applicant the expatriation allowance under Article 4 of Annex VII to the Staff Regulations of Officials of the European Communities and the allowances associated therewith

Operative part of the judgment

The Court:

- 1) *Dismisses the application;*
- 2) *Orders the parties to bear their own costs.*

⁽¹⁾ OJ C 289, 23.11.2002.

Judgment of the Court of First Instance of 25 October 2005 — Dedeu i Fontcuberta v Commission

(Case T-299/02) ⁽¹⁾

(Officials — Remuneration — Expatriation allowance — Article 4(1)(a) of Annex VII to the Staff Regulations — Work done for another State — Meaning of habitual residence)

(2005/C 330/43)

Language of the case: Spanish

Parties

Applicant(s): Carles Dedeu i Fontcuberta (Brussels, Belgium) (represented by: J. García-Gallardo Gil-Fournier, J. Guillem Carrau, D. Domínguez Pérez and A. Sayagués Torres, lawyers)

Defendant(s): Commission of the European Communities (represented by: J. Currall, Agent, assisted by J. Rivas Andrés and J. Gutiérrez Gisbert, lawyers)

Application for

annulment of the Commission's implied decision, rejecting the applicant's complaint of 23 September 2002, and its express decision to that effect of 14 November 2002, which refuse to pay the applicant the expatriation allowance under Article 4 of Annex VII to the Staff Regulations of Officials of the European Communities and the allowances associated therewith

Operative part of the judgment

The Court:

- 1) *Annuls the Commission's memorandum of 25 February 2002 and the Commission's decision of 14 November 2002 in so far as they refuse to pay the applicant the expatriation allowance under Article 4(1)(a) of Annex VII to the Staff Regulations of Officials of the European Communities and the daily subsistence allowance under Article 5(1) of that annex;*
- 2) *Dismisses the remainder of the application;*
- 3) *Orders the Commission to pay the full costs.*

⁽¹⁾ OJ C 289 of 23.11.2002.