

- so far as necessary, annul the decision of the authority empowered to conclude contracts of employment (AECE) of 31 March 2005 rejecting the applicant's complaint;
- order the defendant to pay the applicant, as compensation for the loss suffered, damages assessed on equitable grounds at EUR 85 473 for material loss and EUR 50 000 for non-material loss, such amounts to be increased or reduced as appropriate during the proceedings;
- order the Commission of the European Communities to pay the costs.

Pleas in law and main arguments

The applicant, formerly a member of the Commission's temporary staff, was taken on from 16 September 2004 until 15 September 2009 under a contract which provided for a probationary period of 6 months, in accordance with Article 14 of the Conditions of Employment of Other Servants. Following an initial negative evaluation report, an extension of the probationary period by six months and a second negative evaluation report, the defendant terminated that contract.

In his application, the applicant submits that the defendant made manifest errors of assessment, in so far as, first, it used incorrect facts as a basis or misinterpreted the facts and, second, it blamed the applicant for problems for which he could not be held responsible.

In addition, according to the applicant, the defendant infringed the general principles which safeguard the right to dignity and to a defence and made superfluous critical comments.

The applicant finally argues that, by not completing the evaluation report at the latest one month before the expiry of the probationary period, the defendant infringed Article 14 of the Conditions of Employment of Other Servants.

Order of the Civil Service Tribunal of 13 July 2006 — Lacombe v Council

(Case F-9/05) ⁽¹⁾

(2006/C 212/87)

Language of the case: French

The President of the Tribunal sitting in full court has ordered that the case be removed from the register.

⁽¹⁾ OJ C 115 of 14.05.2005. (case initially registered before the Court of First Instance of the European Communities under number T-116/05 and transferred to the Civil Service Tribunal of the European Communities by order of 15.12.2005).