

Judgment of the Court of First Instance (Fourth Chamber) of 27 September 2006 — Kontouli v Council of the European Union

(Case T-416/04) ⁽¹⁾

(Officials — Invalidity pension — Weighting — Determination of place of residence — Withdrawal of an administrative act — Legitimate expectations)

(2006/C 294/96)

Language of the case: English

Parties

Applicant: Anna Kontouli (represented by: initially V. Akritidis and M. Tragalou, and subsequently V. Akritidis, lawyers)

Defendant: Council of the European Union (represented by: M. Sims and D. Zahariou, acting as Agents)

Re:

Application, first, for annulment of the Council's decision of 5 December 2003 withdrawing the right to have the weighting fixed for the United Kingdom applied to the applicant's invalidity pension and, second, for damages

Operative part of the judgment

The Court:

1. Annuls the Council's decision of 5 December 2003 withdrawing the application of the weighting for the United Kingdom to the applicant's pension in so far as it withdraws that entitlement, with retroactive effect, for the period from 1 May 2003 to 31 December 2003;
2. Dismisses the action as to the remainder;
3. Orders the Council to bear one third of the applicant's costs in addition to its own costs.

⁽¹⁾ OJ C 31, 05.02.2005.

Judgment of the Court of First Instance of 27 September 2006 — Blackler v Parliament

(Case T-420/04) ⁽¹⁾

(Officials — Competition on the basis of qualifications and tests — Conditions for admission — Length of studies — Assessment of the candidates' qualifications and merits — Infringement of the notice of competition — Manifest error of assessment)

(2006/C 294/97)

Language of the case: French

Parties

Applicant: Kenneth Blackler (Ispra, Italy) (represented by: P. Goergen, lawyer)

Defendant: European Parliament (represented by: A. Bencomo Weber and J.F. De Wachter, Agents)

Re:

Primarily, application for annulment of the Secretary General of the European Parliament's decision of 11 July 2004 confirming the decision of the selection board in competition PE/98/A of 21 April 2004 not to admit the applicant to the oral tests in that competition or, in the alternative, application for an order that the European Parliament should pay the applicant EUR 100 000 by way of damages for the material and non-material loss suffered by him.

Operative part of the judgment

The Court:

1. Rejects the application;
2. Orders the parties to bear their own costs.

⁽¹⁾ OJ C 300, 4.12.2004.