

COURT OF FIRST INSTANCE

Order of the President of the Court of First Instance of
27 August 2008 — *Melli Bank v Council*

(Case T-246/08 R)

(Applications for interim measures — Regulation (EC) No 423/2007 — Restrictive measures against the Islamic Republic of Iran — Council decision — Measure to freeze funds and economic resources — Application for suspension of operation of a measure — No urgency — Absence of serious and irreparable damage)

(2008/C 260/23)

Language of the case: English

Parties

Applicant: Melli Bank plc (London, United Kingdom) (represented by: R. Gordon, QC, J. Stratford, M. Hoskins, Barristers, R. Gwynne and T. Din, Solicitors)

Defendant: Council of the European Union (represented by: M. Bishop and E. Finnegan, acting as Agents)

Interveners in support of the defendant: United Kingdom of Great Britain and Northern Ireland (represented by: V. Jackson, acting as Agent, and S. Lee, Barrister) and French Republic (represented by: E. Belliard, G. de Bergues and L. Butel, acting as Agents)

Re:

Application for suspension of the application of paragraph 4, section B, of the Annex to Council Decision 2008/475/EC of 23 June 2008 implementing Article 7(2) of Regulation (EC) No 423/2007 concerning restrictive measures against Iran (OJ 2008 L 163, p. 29), in so far as Melli Bank plc is included in the list of legal persons, entities and bodies whose funds and economic resources are frozen.

Operative part of the order

1. *The application for interim measures is dismissed.*
2. *The costs are reserved.*

Appeal brought on 8 July 2008 by Stanislava Boudova and Others against the order of the Civil Service Tribunal delivered on 21 April 2008 in Case F-78/07, *Boudova and Others v Commission*

(Case T-271/08 P)

(2008/C 260/24)

Language of the case: French

Parties

Appellants: Stanislava Boudova (Howald, Luxembourg), Adovica (Luxembourg, Luxembourg), Kuba (Konz, Germany), Puciriuss (Luxembourg, Luxembourg), Strzelecka (Arlon, Belgium), Szyprowska (Berbourg, Luxembourg), Tibai (Luxembourg, Luxembourg), Vaituleviciene (Luxembourg, Luxembourg) (represented by Marc-Albert Lucas, lawyer)

Other party to the proceedings: Commission of the European Communities

Form of order sought by the appellants

- annul the order of the Civil Service Tribunal of the European Union of 21 April 2008 in Case F-78/07;
- grant the forms of order sought by the appellants in the application at first instance;
- order the Commission to pay the costs of both sets of proceedings.

Pleas in law and main arguments

By the present appeal, the appellants seek the annulment of the order of the Civil Service Tribunal (CST) of 21 April 2008 in Case F-78/07 *Boudova and Others v Commission* by which the CST dismissed as manifestly inadmissible the action by which the appellants had sought the annulment of the decision rejecting their application for the revision of the classification in grade established by the decisions to recruit them.

In support of their appeal, the appellants submit, first, that the CST infringed its obligation to state reasons in paragraph 38 of the contested order in so far as they were recruited to temporarily fill permanent posts included in the list of posts and not to replace officials or temporary servants who were unable for the time being to perform their duties, with the result that they were in actual fact — or should have been — recruited as temporary servants, or at the very least were in a position analogous to that of temporary servants.