

EUROPEAN UNION CIVIL SERVICE TRIBUNAL

Order of the Civil Service Tribunal (Second Chamber) of 22 October 2009 — Aayhan and Others v European Parliament

(Case F-10/08) ⁽¹⁾

(No need to adjudicate)

(2009/C 312/70)

Language of the case: French

Parties

Applicants: Laleh Aayhan (Strasbourg, France) and Others (represented by: R. Blindauer, lawyer)

Defendant: European Parliament (represented by: M. Mustapha-Pacha and R. Ignătescu, later by R. Ignătescu and S. Seyr, Agents)

Re:

Annulment of the European Parliament's decision of 25 October 2007 rejecting the complaint brought by the applicants on 21 June 2007 for the purpose of having all the fixed-term contracts between them and the Parliament converted into a single contract for an indefinite period.

Operative part of the order

1. *There is no need to adjudicate in Case F-10/08 Aayhan and Others v Parliament;*
2. *The applicants are ordered to bear their own costs and to pay the European Parliament's costs.*

⁽¹⁾ OJ C 64, 8.03.2008, p. 70

Action brought on 17 September 2009 — Marcuccio v Commission

(Case F-78/09)

(2009/C 312/71)

Language of the case: Italian

Parties

Applicant: Luigi Marcuccio (Tricase, Italy) (represented by: G. Cipressa, lawyer)

Defendant: Commission of the European Communities

Subject-matter and description of the proceedings

Application for annulment of the Commission's decision rejecting the applicant's request for reimbursement of the costs incurred in Case T-18/04, which the defendant was ordered to pay by judgment of the Court of First Instance of 10 June 2008, and for an order that the defendant pay compensation for the material and non-material damage suffered by the applicant.

Form of order sought

— Annul the decision, in whatever form, by which the defendant rejected the request of 22 September 2008;

— annul, in so far as necessary, the decision, in whatever form, by which the complaint of 8 April 2009 was rejected;

— order the defendant to pay to the applicant the sum of EUR 15 882,31, together with default interest at the rate of 10 % per annum, with annual capitalisation, with effect from the date of the request of 22 September 2008 to the present date, by way of compensation for the material damage suffered by the applicant as a result of the contested decision and arising in the abovementioned period;

— order the defendant to pay to the applicant, pro bono et ex aequo, the sum of EUR 6 500,00 or such other sum as the Tribunal may consider just and equitable, by way of compensation for the non-material damage suffered by the applicant, including damage to his quality of life, as a result of the contested decision and arising in the period between the date when decision was adopted and the present;

— order the defendant to pay to the applicant, for each day between tomorrow and the day on which the request of 22 September 2008 is granted in full and without any exception and the appropriate decisions or relevant acts, without any exception, are implemented, the sum of EUR 5 or such other sum as the Tribunal may consider just and equitable, to be paid on the first day of each month in respect of rights accrued during the previous month, by way of compensation for the damage suffered by the applicant as a result of the contested decision and arising in the abovementioned period;

— order the defendant to repay to the applicant all costs, fees and other expenses incurred in the proceedings.