

EUROPEAN UNION CIVIL SERVICE TRIBUNAL

Judgment of the Civil Service Tribunal (First Chamber) of 8 March 2011 — Carlo De Nicola v European Investment Bank

(Case F-59/09) ⁽¹⁾

(Civil service — Staff of the European Investment Bank — Appraisal — Promotion — Jurisdiction of the Tribunal — Admissibility — Implied decision of rejection — Internal Directive — Staff representative — Principle of respect for the rights of the defence)

(2011/C 130/54)

Language of the case: Italian

Parties

Applicant: Carlo De Nicola (Strassen, Luxembourg) (represented by: L. Isola, lawyer)

Defendant: European Investment Bank (represented by: C. Gómez de la Cruz, T. Gilliams and F. Martin, agents, and A. Dal Ferro, lawyer)

Re:

First, annulment of the promotions of 29 April 2008 which do not include the applicant's name and the assessment of the applicant for 2007. Second, annulment of the decision of the Appeal Committee to remain seized of the matter notwithstanding an objection. Finally, a declaration that the applicant has been the victim of psychological harassment and an order

that the defendant desist from such conduct and compensate the non-material and material damage suffered.

Operative part of the judgment

The Tribunal:

1. Annuls the staff report for 2007 and the decision refusing M. De Nicola promotion.
2. Dismisses the remainder of the heads of claim.
3. Orders Mr De Nicola and the European Investment Bank to bear their own costs.

⁽¹⁾ OJ C 205 of 29.8.09 p. 49.

Order of the Civil Service Tribunal of 3 March 2011 — Dubus v Parliament

(Case F-86/10) ⁽¹⁾

(2011/C 130/55)

Language of the case: French

The President of the First Chamber has ordered that the case be removed from the register, following amicable settlement.

⁽¹⁾ OJ C 317, 20.11.10, p. 49.