

Other party to the proceedings: European Parliament (represented by: S. Seyr and E. Despotopoulou, Agents)

Re:

Appeal against the judgment of the Civil Service Tribunal of the European Union (Third Chamber) of 15 February 2011 in Case F-68/09 *Barbin v Parliament* ECR I-0000, seeking to have that judgment set aside.

Operative part of the order

1. There is no longer any need to adjudicate on the present appeal.
2. Each party is to bear its own costs.

(¹) OJ C 211, 16.7.2011.

Order of the General Court of 18 December 2012 — Hungary v Commission

(Case T-320/11) (¹)

(Action for annulment — Period allowed for commencing proceedings — Point from which time starts to run — Out of time — Inadmissibility)

(2013/C 55/23)

Language of the case: Hungarian

Parties

Applicant: Hungary (represented by: M. Fehér, K. Szíjjártó and K. Veres, acting as Agents)

Defendant: European Commission (represented by: G. von Rintelen and A. Sipos, acting as Agents)

Re:

Action for annulment of Commission Decision 2011/192/EU of 28 March 2011 excluding from EU financing certain expenditure incurred by Hungary under the programme for the support for pre-accession measures for agriculture and rural development (Sapard) in 2004 (OJ 2011 L 81, p. 14).

Operative part of the order

1. The action is dismissed.

2. Hungary is ordered to pay the costs.

(¹) OJ C 252, 27.8.2011.

Order of the General Court of 7 January 2013 — Alfastar Benelux v Council

(Case T-274/12) (¹)

(Actions for failure to act — Action devoid of purpose — No need to adjudicate — Actions for damages — Action manifestly lacking any foundation in law)

(2013/C 55/24)

Language of the case: English

Parties

Applicant: Alfastar Benelux SA (Ixelles, Belgium) (represented by: N. Keramidas and N. Korogiannakis, lawyers)

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

Re:

Application for a declaration that the Council has failed to fulfil its obligations under Article 266 TFEU in failing to take the measures necessary to comply with the judgment of the General Court of the European Union of 20 October 2011 in Case T-57/09 *Alfastar Benelux v Council*, not published in the ECR, and, in addition, a claim for damages under Article 340 TFEU

Operative part of the order

1. There is no longer any need to adjudicate on the application for a declaration of failure to act, brought by Alfastar Benelux SA.
2. The claim for damages brought by Alfastar Benelux is dismissed as manifestly lacking any foundation in law.
3. Alfastar Benelux shall bear 50 % of its own costs and pay 50 % of the costs incurred by the Council of the European Union. The Council shall bear 50 % of its own costs and pay 50 % of the costs incurred by Alfastar Benelux.

(¹) OJ C 243, 11.8.2012.