

EUROPEAN UNION CIVIL SERVICE TRIBUNAL

Judgment of the Civil Service Tribunal (Third Chamber) of 2 October 2013 — Nardone v Commission

(Case F-111/12) ⁽¹⁾

(Civil Service — Former official — Exposure to asbestos and to other substances — Occupational disease — Accident — Article 73 of the Staff Regulations — Medical Committee — Reasons — Action for damages — Length of the proceedings)

(2013/C 336/68)

Language of the case: French

Parties

Applicant: Albert Nardone (Piétrain, Belgium) (represented by: L. Levi and A. Blot, lawyers)

Defendant: European Commission (represented by: J. Currall and V. Joris, acting as Agents)

Re:

Application for annulment of the Commission's decision to accept the findings of the Medical Committee ruling on the applicant's level of disability and the occupational origin of his disease.

Operative part of the judgment

The Tribunal:

1. Orders the European Commission to pay Mr Nardone default interest for the period between 1 March 2006 and 15 July 2010 on the amount of EUR 8 448,51 at the rate fixed by the European Central Bank for main refinancing operations and applicable to the period in question, increased by two points, and the sum of EUR 3 000;
2. Dismisses the remainder of the action;
3. Orders the European Commission to bear its own costs and to pay one quarter of the costs incurred by Mr Nardone;
4. Orders Mr Nardone to bear three quarters of his own costs.

⁽¹⁾ OJ C 379, 8.12.2012, p. 35.

Action brought on 27 June 2013 — ZZ v ENISA

(Case F-63/13)

(2013/C 336/69)

Language of the case: Greek

Parties

Applicant: ZZ (represented by: V. Christianos, lawyer)

Defendant: European Union Agency for Network and Information Security (ENISA)

Subject-matter and description of the proceedings

The annulment, firstly, of the decision to dismiss the applicant and, secondly, of the decision, adopted after the judgment of the CST in Case F-118/10, to appoint another agent to the post of accountant. Finally, compensation for the non-pecuniary harm allegedly suffered.

Form of order sought

- Annul the decision of ENISA rejecting the applicant's claim, and the other contested decisions, namely the decision of ENISA of 4 September 2012 dismissing the applicant and the decision of ENISA of 9 October 2012 appointing Mr X. to the post of accountant in the applicant's place;
- Order ENISA to pay the applicant, in respect of all the abovementioned unlawful acts, the sum of EUR 100 000 as compensation for the non-pecuniary harm;
- Order ENISA to pay the costs.

Action brought on 13 September 2013 — ZZ v Parliament

(Case F-86/13)

(2013/C 336/70)

Language of the case: English

Parties

Applicant: ZZ (represented by: P. Bentley QC, Barrister, and R. Bäuerle, Rechtsanwalt)

Defendant: European Parliament

Subject-matter and description of the proceedings

The annulment of the decision prohibiting the applicant from taking up an appointment as an adviser to the Prime Minister of Ukraine within two years as from the date of termination of his functions with the European Parliament.

Form of order sought

The applicant claims that the Tribunal should:

- Annul the Parliament's decision dated 3 January 2013 forbidding the Applicant from undertaking an appointment as Adviser to Prime Minister of Ukraine, for two years following the termination of his employment with the Parliament;