

Re:

Appeal against the judgment of the European Union Civil Service Tribunal (First Chamber) of 25 September 2012 in *Bermejo Garde v EESC* (F-51/10, not yet published in the ECR), seeking the partial setting aside of that judgment.

Operative part of the judgment

The Court:

1. Sets aside the judgment of the European Union Civil Service Tribunal (First Chamber) of 25 September 2012 in *Bermejo Garde v EESC* (F-51/10) in so far as it rejected the appellant's claim for damages without providing a statement of reasons;
2. Dismisses the remainder of the appeal;
3. Rejects the claim for damages brought before the Civil Service Tribunal by Mr Moises Bermejo Garde;
4. Orders Mr Bermejo Garde to bear his own costs in relation to the present appeal proceedings;
5. Orders the European and Economic Social Committee (EESC) to bear its own costs at first instance and on appeal and to pay the costs incurred by Mr Bermejo Garde in the proceedings at first instance.

⁽¹⁾ OJ C 55, 23.2.2013.

Judgment of the General Court of 9 October 2014 — Bermejo Garde v EESC

(Case T-530/12 P) ⁽¹⁾

(Appeal — Civil service — Officials — Psychological harassment — Illegal activities affecting the interests of the European Union — Serious failure to comply with the obligations of officials — Articles 12(a) and 22(a) of the Staff Regulations — Denunciation by the appellant — Reassignment following that denunciation — No consultation of OLAF by the immediate superior who received the information — Measures adversely affecting a person — Good faith — Rights of the defence — Competence of the authority issuing the measure)

(2014/C 421/48)

Language of the case: French

Parties

Appellant: Moises Bermejo Garde (Brussels, Belgium) (represented by: L. Levi, lawyer)

Other party to the proceedings: European Economic and Social Committee (EESC) (represented initially by G. Nijborg, and subsequently by U. Schwab and M. Lernhart, acting as Agents, assisted by B. Wägenbaur, lawyer)

Re:

Appeal against the judgment of the European Union Civil Service Tribunal (First Chamber) of 25 September 2012 in *Bermejo Garde v EESC* (F-41/10, not yet published in the ECR), seeking the setting aside of that judgment.

Operative part of the judgment

The Court:

1. Sets aside the judgment of the European Union Civil Service Tribunal (First Chamber) of 25 September 2012 in *Bermejo Garde v EESC (F-41/10)* in so far as it dismisses Mr Moises Bermejo Garde's action for annulment of Decision No 133/10 A of the European Economic and Social Committee (EESC) of 24 March 2010 relieving him of his previous post and of EESC Decision No 184/10 A of 13 April 2010 concerning his reassignment;
2. Dismisses the remainder of the appeal;
3. Refers the case back to the Civil Service Tribunal;
4. Reserves the costs.

⁽¹⁾ OJ C 55, 23.2.2013.

Judgment of the General Court of 16 October 2014 — Alpiq RomIndustries and Alpiq RomEnergie v Commission

(Case T-129/13) ⁽¹⁾

(State aid — Electricity — Preferential tariffs — Decision to open the procedure laid down in Article 108 (2) TFEU — Action for annulment — Act not subject to appeal — Aid measure implemented in full prior to the date on which the action was brought — Inadmissible)

(2014/C 421/49)

Language of the case: German

Parties

Applicants: Alpiq RomIndustries Srl (Bucarest, Romania) and Alpiq RomEnergie Srl (Bucarest) (represented by: H. Wollmann and F. Urlesberger, lawyers)

Defendant: European Commission (represented by: E. Gippini Fournier, T. Maxian Rusche and R. Sauer, Agents)

Re:

Application for annulment of Commission Decision C (2012) 2542 final of 25 April 2012 to open the proceedings provided for in Article 108(2) TFEU concerning State Aid SA 33451 (2012/C) (ex 2012/NN) — Romania — Preferential tariffs in contracts between Hidroelectrica SA and electricity suppliers.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Alpiq RomIndustries Srl and Alpiq RomEnergie Srl to pay the costs.

⁽¹⁾ OJ C 141, 18.5.2013.