

**Pleas in law and main arguments**

With this action the applicant claims that the General Court of the European Union should, under Article 272 TFEU, declare that the suspension of payment which the Research Executive Agency applied with respect to the sum which it continues to owe to the applicant as its contribution to the ESS project in the context of the FP7 programme is in breach of its contractual obligations and, consequently, that that sum should be paid to ANKO, with interest from the date of lodging this action.

In particular, ANKO maintains that it fully and properly performed its contractual obligations. In contrast, the Research Executive Agency (REA) suspended its payments to ANKO, in breach of Section II.5 (3)(d) of Annex II to the principal agreement for the ESS project. For that reason, the Research Executive Agency (REA) continues to owe to the applicant with respect to the ESS project the sum payment of which was unlawfully suspended, namely EUR 125 253,82.

In particular, ANKO maintains that the suspension of payments by the Research Executive Agency (REA) to it with respect to the ESS project is contrary to the ESS project agreement and to EU law for the following reasons:

- First, the Research Executive Agency (REA) unlawfully suspended payments to ANKO, since none of the five conditions set out in Section II.5 (3)(d) of Annex II to the principal agreement applies.
- Second, the Research Executive Agency (REA) unlawfully laid down a condition, on which the suspension of payments could be terminated, for which no provision was made in the contractual documents and which is contrary to EU law.

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**Action brought on 29 May 2015 — Alcogroup and Alcodis v Commission****(Case T-274/15)**

(2015/C 279/47)

*Language of the case: French***Parties**

*Applicants:* Alcogroup (Brussels, Belgium); and Alcodis (Brussels) (represented by: P. de Bandt, J. Dewispelaere and J. Probst, lawyers)

*Defendant:* European Commission

**Form of order sought**

The applicant claims that the General Court should:

- annul the contested decisions;
- order the Commission to pay all the costs of the present proceedings.

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In support of the action, the applicant relies on a single plea in law alleging that, by adopting and implementing the contested decisions, the Commission infringed the applicants' rights of defence and their right to the inviolability of private premises and that it breached the principles of sound administration and proportionality.

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