

Order of the Civil Service Tribunal (1st Chamber) of 7 December 2015 — Probst v Commission(Case F-136/14) ⁽¹⁾

(Civil service — Remuneration — Expatriation allowance — Article 4 of Annex VII to the Staff Regulations — Former parliamentary assistant — Commission's decision to grant the expatriation allowance to former parliamentary assistants as of the date of publication of the information given to staff — Judgments annulling a measure — Substantial new facts — Limited temporal effect — Res judicata — Administrative decisions which have become final — Equal treatment)

(2016/C 048/115)

Language of the case: French

Parties

Applicant: Norbert Probst (Genval, Belgium) (represented by: D. de Abreu Caldas, lawyer)

Defendant: European Commission (represented by: initially J. Currall and T.S. Bohr, Agents, and subsequently T.S. Bohr, Agent)

Re:

Application by the applicant for annulment of the Commission's decision granting him, with retrospective effect, the expatriation allowance, in so far as the retrospective effect extends merely to 1 September 2013, and the applicant claims that the Commission should grant him that allowance as of his recruitment by the Commission on 1 July 1999.

Operative part of the order

1. *The action is dismissed as manifestly unfounded.*
2. *Mr Probst shall bear his own costs and is ordered to pay the costs incurred by the European Commission.*

⁽¹⁾ OJ C 34, 2.2.2015, p. 54.

Order of the Civil Service Tribunal (Second Chamber) of 17 December 2015 — Di Marzio v Council(Case F-24/15) ⁽¹⁾

(Civil service — Contractual agent — Function group I — Reclassification of a contract into a contract as a member of the temporary staff for an indefinite term at Grade AST 3, AST 4 or AST 5 or into a contract as a member of the contract staff for an indefinite term in function group III — Articles 2, 3a, 3b, 80 and 88 of the Conditions of Employment of other servants — Obligation to state reasons — Manifest error of assessment — Principle of sound administration — Duty of care — Action manifestly lacking any foundation in law — Article 81 of the Rules of Procedure)

(2016/C 048/116)

Language of the case: French

Parties

Applicant: Antony Di Marzio (Limelette, Belgium) (represented by: M. Velardo, lawyer)

Defendant: Council of the European Union (represented by: M. Bauer and M. Veiga, acting as Agents)