

4. Fourth plea in law, alleging that the defendant committed manifest errors of assessment in evaluating the applicant's tender which, once corrected, would lead to a different result of the procurement procedure, i.e. the applicant's tender should not have been rejected and the framework contract should have been awarded to the applicant.

Action brought on 4 January 2017 — Coedo Suárez v Council

(Case T-4/17)

(2017/C 078/48)

Language of the case: French

Parties

Applicant: Ángel Coedo Suárez (Brussels, Belgium) (represented by: S. Rodrigues and C. Bernard-Glanz, lawyers)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the Court should:

- declare the present application admissible;
- annul the decision adopted on 4 March 2016 by the Secretary-General of the Council and, as necessary, the decision adopted on 27 September 2016 by the Secretary-General of the Council, rejecting the complaint;
- order the defendant to pay a sum set *ex aequo et bono* at EUR 5 000, or any other amount which the General Court deems fair, as damages for non-pecuniary harm, to be increased by late payment interest at the statutory rate from the date of the judgment to be delivered;
- order the defendant to pay the costs.

Pleas in law and main arguments

In support of the action, the applicant invokes two pleas in law.

1. First plea in law, alleging infringement of the fifth paragraph of Article 78 of the Staff Regulations of Officials of the European Union, in that the Council erroneously classified the letter of 20 November 2015 as a complaint and found, as a consequence, that it was inadmissible. Moreover, the request of 20 November 2015 for recognition of the fact that the invalidity was work-related in origin also cannot be regarded as inadmissible on the ground of unreasonable delay.
2. Second plea in law, alleging infringement of the principle of sound administration and breach of the duty of care, in that, by rejecting the applicant's request for recognition of the fact that the invalidity was work-related in origin for reasons that are erroneous and contrary to the principles identified from the case-law, the Council extends the duration of the proceedings and thereby fails to respect the principle of reasonable time and, more generally, the principle of sound administration.

Action brought on 9 January 2017 — Proof IT v EIGE

(Case T-10/17)

(2017/C 078/49)

Language of the case: English

Parties

Applicant: Proof IT SIA (Riga, Latvia) (represented by: J. Jerņeva and D. Pāvila, lawyers)