

Judgment of the General Court of 11 December 2017 — Léon Van Parys v Commission(Case T-125/16) ⁽¹⁾***(Customs union — Imports of bananas from Ecuador — Post-clearance recovery of import duties — Application for the remission of import duties — Decision adopted following the annulment by the General Court of an earlier decision — Reasonable time)***

(2018/C 032/34)

Language of the case: Dutch

Parties

Applicant: Firma Léon Van Parys NV (Antwerp, Belgium) (represented by: P. Vlaemminck, B. Van Vooren, R. Verbeke and J. Auwerx, lawyers)

Defendant: European Commission (represented by: A. Caeiros, B.-R. Killmann and E. Manhaeve, acting as Agents)

Re:

Application, first, pursuant to Article 263 TFEU, for annulment of Commission Decision C(2016) 95 final of 20 January 2016 finding that post-clearance entry in the accounts of import duties is justified and that remission of those duties is justified with regard to a debtor and is in part justified in the particular case of another debtor but in another part not justified with regard to that particular debtor, and modifying Commission Decision C(2010) 2858 of 6 May 2010, and, second, for a declaration that Article 909 of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code (OJ 1993 L 253, p. 1) had effect with regard to the applicant following the judgment of 19 March 2013, *Firma Van Parys v Commission* (T-324/10, EU:T:2013:136).

Operative part of the judgment

The Court:

1. Annuls Article 1(4) of Commission Decision C(2016) 95 final of 20 January 2016 finding that post-clearance entry in the accounts of import duties is justified and that remission of those duties is justified with regard to a debtor and is in part justified in the particular case of another debtor but in another part not justified with regard to that particular debtor, and modifying Commission Decision C(2010) 2858 of 6 May 2010;
2. Dismisses the action as to the remainder;
3. Orders the European Commission to bear its own costs and to pay those incurred by Firma Léon Van Parys NV.

⁽¹⁾ OJ C 175, 17.5.2016.

Judgment of the General Court of 5 December 2017 — Spadafora v Commission(Case T-250/16) ⁽¹⁾***(Appeal — Civil Service — Officials — Dismissal of the action at first instance as manifestly inadmissible and manifestly unfounded — Application to have that order set aside — Post of Head of the Legal Advice Unit of OLAF — Selection procedure — Pre-selection panel — Not included in the restricted list of proposed candidates for a final interview with the Appointing Authority — Impartiality — Claim for compensation — Loss of chance — Whether the state of the proceedings permits final judgment to be given)***

(2018/C 032/35)

Language of the case: Italian

Parties

Appellant: Sergio Spadafora (Brussels, Belgium) (represented by: G. Belotti, lawyer)