



C/2025/2516

12.5.2025

Request for a preliminary ruling from the Sąd Rejonowy w Koszalinie (Poland) lodged on 3 February 2025 – N.O. v PKO BP S.A.

(Case C-70/25, Tukowiecka) ⁽¹⁾

(C/2025/2516)

Language of the case: Polish

Referring court

Sąd Rejonowy w Koszalinie

Parties to the main proceedings

Applicant: N.O.

Defendant: PKO BP S.A.

Question referred

Should the provisions of Article 73(1) in conjunction with Article 74(1) of Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market ⁽²⁾ be understood to mean that a payment service provider can refuse to refund to a payer immediately the amount of an unauthorised payment transaction if the payer has suffered a loss in connection with the unauthorised payment transaction as a result of failing, with gross negligence, to fulfil the obligations set out in Article 69[?]

⁽¹⁾ The name of the present case is a fictitious name. It does not correspond to the real name of any party to the proceedings.

⁽²⁾ OJ 2015 L 337, p. 35.