



C/2025/5584

27.10.2025

Order of the General Court of 19 August 2025 – Menacho v Commission

(Case T-679/24) ⁽¹⁾

(Civil service – Members of the contract staff – Retirement pension – Pension rights acquired before entry into the service of the European Union – Transfer to the EU scheme – Crediting of additional pensionable years – Request for repayment of part of the capital transferred – Decision determining pension rights – Equal treatment – Action manifestly lacking any foundation in law – Unjust enrichment – Inadmissibility)

(C/2025/5584)

Language of the case: French

Parties

Applicant: Manuela Menacho (Alicante, Spain) (represented by: D. Grisay, lawyer)

Defendant: European Commission (represented by: J.-F. Brakeland and A. Baeckelmans, acting as Agents)

Re:

By her action under Article 270 TFEU, the applicant seeks, in essence, primarily, the annulment of the implicit decision of the European Commission of 30 September 2024 rejecting her complaint brought against the notice of 18 March 2024 determining her retirement pension rights and, consequently, referral of her case back to the appointing authority for a determination of the amount to be repaid to her and, in the alternative, an order for payment by the Commission of the amount of EUR 3 265,94 on the ground of unjust enrichment

Operative part of the order

1. The action is dismissed as manifestly lacking any foundation in law in part and inadmissible in part.
2. There is no longer any need to adjudicate on the applications for leave to intervene lodged by the European Parliament and the Council of the European Union.
3. Ms Manuela Menacho shall bear her own costs and pay those incurred by the European Commission.
4. The Parliament and the Council shall bear their own costs relating to their applications for leave to intervene.

⁽¹⁾ OJ C, C/2025/928, 17.2.2025.