



Request for a preliminary ruling from the Tribunalul București (Romania) lodged on 10 December 2025 – Top Lac Service Cotroceni SRL v Fondul de Garantare a Asiguraților

(Case C-814/25, Top Lac Service Cotroceni)

(C/2026/1340)

Language of the case: Romanian

Referring court

Tribunalul București

Parties to the main proceedings

Applicant at first instance and appellant: Top Lac Service Cotroceni SRL

Defendant at first instance and respondent: Fondul de Garantare a Asiguraților

Questions referred

1. Must Article 10a of Directive 2009/103/EC of the European Parliament and of the Council of 16 September 2009 relating to insurance against civil liability in respect of the use of motor vehicles, and the enforcement of the obligation to insure against such liability, ⁽¹⁾ be interpreted as including: (a) default interest accrued as a result of non-payment of insurance compensation by the insurer prior to the commencement of bankruptcy proceedings, [and] (b) the costs of proceedings, both of which have been awarded to the injured party by a final judgment?
2. Must point (g) of Article 268[1] of Directive 2009/138/EC of the European Parliament and of the Council of 25 November 2009 on the taking-up and pursuit of the business of Insurance and Reinsurance ⁽²⁾ be interpreted as including: (a) default interest accrued as a result of non-payment of insurance compensation by the insurer prior to the commencement of bankruptcy proceedings, [and] (b) the costs of proceedings, both of which have been awarded to the injured party by a final judgment?

⁽¹⁾ OJ 2009 L 263, p. 11.

⁽²⁾ OJ 2009 L 335, p. 1.