

Order of the Court of 28 November 2008 — Philippe Combescot v Commission of the European Communities

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(Case C-525/07 P) ⁽¹⁾

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(Appeal — Officials — Career development report — Duty to provide assistance — Mental harassment — Compensation for damage — Appeal in part manifestly inadmissible and in part manifestly unfounded)

(Appeal — Officials — Appointment to the post of Head of Delegation in Colombia — Exclusion from competition — Application for damages — Determination of the extent of compensation — Appeal in part manifestly inadmissible and in part manifestly unfounded)

(2009/C 69/21)

(2009/C 69/22)

Language of the case: Italian

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Parties

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Appellant: Philippe Combescot (represented by: A. Maritati and V. Messa, avvocati)

Appellant: Philippe Combescot (represented by: A. Maritati and V. Messa, avvocati)

Other party to the proceedings: Commission of the European Communities (represented by: J. Currall, Agent, and S. Corongiu, avocat)

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Re:

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Appeal against the judgment of the Court of First Instance (Second Chamber) of 12 September 2007 in Case T-249/04 *Combescot v Commission*, by which the Court of First Instance dismissed an application for, first, recognition that the conduct of the appellant's hierarchical superiors was unlawful; recognition that the appellant had the right to assistance; and annulment of the appellant's career development report for the period from 1 July 2001 to 31 December 2002; and, second, payment of compensation for the damage allegedly suffered by the appellant.

Appeal against the judgment of the Court of First Instance (Second Chamber) of 12 September 2007 in Case T-250/04 *Combescot v Commission*, by which the Court of First Instance dismissed the appellant's application for recognition that the decision excluding him from the competition for appointment to the post of Head of Delegation in Colombia was unlawful; dismissed the same application for annulment of the procedure of that competition and of the decision making the appointment to the post concerned; and held that there was only non-material damage, rejecting the claim for compensation for the other heads of damage raised by the appellant.

Operative part of the order

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1. *The appeal is dismissed.*
2. *Mr Combescot shall pay the costs of the appeal.*

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⁽¹⁾ OJ C 37, 9.2.2008.

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