

**Judgment of the General Court of 8 December 2011 —  
Evropaiki Dynamiki v Commission**

(Case T-39/08) <sup>(1)</sup>

*(Public service contracts — Tendering procedure — Provision of information technology services relating to the hosting, management, enhancement, promotion and maintenance of an internet portal — Rejection of a tender and award of the contract to another tenderer — Selection criteria — Award criteria — Non-contractual liability)*

(2012/C 25/88)

Language of the case: English

**Parties**

*Applicant:* Evropaiki Dynamiki — Proigmena Systimata Tilepikoinonion Pliroforikis kai Tilematikis AE (Athens, Greece) (represented by: N. Korogiannakis, lawyer)

*Defendant:* European Commission (represented by: E. Manhaeve and N. Bambara, Agents, assisted by J. Stuyck, lawyer)

**Re:**

First, application for annulment of the Commission Decision of 12 November 2007 rejecting the tender submitted by the applicant in open call for tenders EAC/04/07 relating to the hosting, management, improvement, promotion and maintenance of the Commission's internet portal for 'e-learning' (elearningeuropa.info) (OJ 2007 S 87), and awarding the contract to another tenderer, and, second, application for damages.

**Operative part of the judgment**

*The Court:*

1. Annuls the Commission Decision of 12 November 2007 rejecting the tender submitted by the Evropaiki Dynamiki — Proigmena Systimata Tilepikoinonion Pliroforikis kai Tilematikis AE in open call for tenders EAC/04/07 relating to the hosting, management, enhancement, promotion and maintenance of the European Commission's internet portal on eLearning (elearningeuropa.info), and awarding the contract to another tenderer;
2. Dismisses the application for damages;
3. Orders the Commission to bear its own costs and to pay those incurred by Evropaiki Dynamiki — Proigmena Systimata Tilepikoinonion Pliroforikis kai Tilematikis.

<sup>(1)</sup> OJ C 92, 12.4.2008.

**Judgment of the General Court of 30 November 2011 —  
Commission v Dittert**

(Case T-51/08 P) <sup>(1)</sup>

*(Appeal — Civil service — Officials — Promotion — 2005 promotion procedure — Priority points — Points not allocated due to a technical problem — A\* Promotion Committee — Allocation of a lower number of points than had been proposed by the applicant's superior — Failure to include the applicant in the list of officials eligible for promotion)*

(2012/C 25/89)

Language of the case: French

**Parties**

*Appellant:* European Commission (represented by: G. Berscheid and K. Herrmann, Agents)

*Other party to the proceedings:* Daniel Dittert (Luxembourg, Luxembourg) (represented by: B. Cortese and C. Cortese, lawyers)

**Re:**

Appeal lodged against the judgment of the Civil Service Tribunal (Second Chamber) of 22 November 2007 in Case F 109/06 *Dittert v Commission*, not yet published in the ECR, with a view to having that judgment set aside.

**Operative part of the judgment**

*The Court:*

1. Dismisses the appeal;
2. Orders the European Commission to bear its own costs and to pay Mr Daniel Dittert's costs.

<sup>(1)</sup> OJ C 92, 12.4.2008.

**Judgment of the General Court of 30 November 2011 —  
Commission v Carpi Badía**

(Case T-52/08 P) <sup>(1)</sup>

*(Appeal — Civil service — Officials — Promotion — 2005 promotion procedure — Priority points — Points not allocated due to a technical problem — A\* Promotion Committee — Allocation of a lower number of points than had been proposed by the applicant's superior — Failure to include the applicant in the list of officials eligible for promotion)*

(2012/C 25/90)

Language of the case: French

**Parties**

*Appellant:* European Commission (represented by: G. Berscheid and K. Herrmann, Agents)

*Other party to the proceedings:* José María Carpi Badía (Luxembourg, Luxembourg) (represented by: B. Cortese and C. Cortese, lawyers)