

Order of the General Court of 17 December 2009 — Nijs v Court of Auditors

(Case T-567/08 P) ⁽¹⁾

(Appeal — Civil service — Officials — Decision not to promote the applicant in the 2005 promotion year — Appeal partly inadmissible and partly unfounded)

(2010/C 37/52)

Language of the case: French

Parties

Appellant: Bart Nijs (Bereldange, Luxembourg) (represented by: F. Rollinger, lawyer)

Other party to the proceedings: Court of Auditors of the European Union (represented by: T. Kennedy, J.-M. Steiner and G. Corstens, Agents)

Re:

Appeal brought against the judgment of the European Union Civil Service Tribunal (Second Chamber) of 9 October 2008 in Case F-49/06 *Nijs v Court of Auditors*, not yet published in the ECR, and seeking to have that judgment set aside.

Operative part of the order

The Court:

1. *Dismisses the appeal;*
2. *Orders Mr Bart Nijs to bear his own costs and those incurred by the Court of Auditors of the European Union in the present proceedings.*

⁽¹⁾ OJ C 55, 7.3.2009.

Order of the President of the General Court of 17 December 2009 — Vereniging Milieudefensie and Stichting Stop Luchtverontreiniging Utrecht v Commission

(Case T-396/09 R)

(Interim measures — Obligation of the Member States to protect and improve ambient air quality — Exemption granted to a Member State — Commission's refusal to review — Application for suspension of operation of a measure and interim measures — Inadmissibility)

(2010/C 37/53)

Language of the case: Dutch

Parties

Applicants: Vereniging Milieudefensie (Amsterdam, Netherlands) and Stichting Stop Luchtverontreiniging Utrecht (Utrecht, Netherlands) (represented by: A. van den Biesen, lawyer)

Defendant: European Commission (represented by: P. Oliver, W. Roels and A. Alcover San Pedro, Agents)

Re:

Application (i) for suspension of operation of Decision C (2009) 6121 of 28 July 2009 declaring inadmissible the applicants' request for review by the Commission of its Decision C (2009) 2560 final of 7 April 2009 granting the Kingdom of the Netherlands a temporary exemption from its obligations in combating ambient air pollution; and (ii) for interim measures requiring the Kingdom of the Netherlands to comply with those obligations at the earliest opportunity.

Operative part of the order

1. *The application for interim measures is dismissed.*
2. *Costs are reserved.*