

Defendant: European Commission (represented by: G. Berscheid and C. Berardis-Kayser, Agents)

Re:

Application for annulment of the applicant's appraisal report for the period from 1 January to 31 December 2008

Operative part of the judgment

The Tribunal:

1. Dismisses the action.
2. Orders AJ to bear its own costs and to pay those incurred by the Commission.

Judgment of the Civil Service Tribunal (Second Chamber) of 14 July 2011 — Praskevicius v Parliament

(Case F-81/10) ⁽¹⁾

(Civil service — Officials — Promotion — Article 45 of the Staff Regulations — Manifest error of assessment — Merit points — Consideration of comparative merits — Statement of reasons)

(2012/C 138/49)

Language of the case: French

Parties

Applicant: Vidas Praskevicius (Luxembourg, Luxembourg) (represented by: P. Nelissen Grade and G. Leblanc, lawyers)

Defendant: European Parliament (represented by: V. Montebello-Demogeot and N.B. Rasmussen, acting as Agents)

Re:

Application for annulment of the defendant's decision not to include the applicant in the list of officials promoted to grade AD6 for the 2009 promotion exercise and claim for compensation for non-material damage suffered.

Operative part of the judgment

The Tribunal:

1. Dismisses the action;
2. Orders each party to bear its own costs.

⁽¹⁾ OJ 2010 C 301, p. 66.

Judgment of the Civil Service Tribunal (Second Chamber) of 8 September 2011 — Bovagnet v Commission

(Case F-89/10) ⁽¹⁾

(Civil Service — Officials — Remuneration — Family allowances — Education allowance — Education costs — Definition)

(2012/C 138/50)

Language of the case: French

Parties

Applicant: François-Carlos Bovagnet (Luxembourg, Luxembourg) (represented by: M. Korving, lawyer)

Defendant: European Commission (represented by: D. Martin and B. Eggers, Agents)

Re:

Application for annulment of the defendant's decision not to reimburse fully the education costs in respect of the applicant's children.

Operative part of the judgment

The Tribunal:

1. Annuls the decision of the European Commission of 17 December 2009 in so far as it refuses to reimburse Mr Bovagnet that part of the education costs paid by him and linked to contribution to the investment funds and working capital of the school that his two children attend;
2. Orders the European Commission to pay Mr Bovagnet the difference between the amount of education allowance granted and that which would result from the calculation of the allowance including the costs incurred for the contribution to the investment funds and the working capital of the school that his two children attend, subject to the ceiling laid down under Article 3 of Annex VII to the Staff Regulations of Officials of the European Union;
3. Orders the European Commission to pay all the costs.

⁽¹⁾ OJ C 328, 4.12.2010, p. 61.

Judgment of the Civil Service Tribunal (Third Chamber) of 29 February 2012 — AM v Parliament

(Case F-100/10) ⁽¹⁾

(Civil service — Officials — Social security — Insurance against accidents and occupational disease — Article 73 of the Staff Regulations — Refusal to recognise the accidental cause of a stroke — Medical committee — Principle of collegiality)

(2012/C 138/51)

Language of the case: French

Parties

Applicant: AM (Málaga, Spain) (represented by: L. Levi and C. Bernard-Glanz, lawyers)

Defendant: European Parliament (represented by: K. Zejdová and S. Seyr, Agents)

Re:

Application for annulment of the decision refusing to regard the stroke suffered by the applicant on 5 March 2006 as an accident within the meaning of Article 73 of the Staff Regulations and Art. 2 of the JSIS.