

EUROPEAN UNION CIVIL SERVICE TRIBUNAL

Judgment of the Civil Service Tribunal (Single Judge) of 18 December 2015 — De Nicola v EIB

(Case F-45/11) ⁽¹⁾

(Civil Service — EIB staff — Appraisal — 2009 staff report — Unlawfulness of the decision of the Adjudication Panel — Refusal of promotion — No need to adjudicate)

(2016/C 048/97)

Language of the case: Italian

Parties

Applicant: Carlo De Nicola (Strassen, Luxembourg) (represented by: L. Isola, lawyer)

Defendant: European Investment Bank (represented by: G. Nuvoli and T. Gilliams, acting as Agents)

Re:

Application for annulment of the applicant's staff report for 2009 in so far as it does not award him A or B+ and does not propose him for promotion to Function D.

Operative part of the judgment

The Tribunal:

1. Annuls the decision of the Adjudication Panel of the European Investment Bank of 22 September 2010;
2. Holds that there is no need to adjudicate on the pleas seeking annulment of the staff report relating to 2009, the decision of 25 March 2010 refusing promotion or 'all connected, consequent and prior acts'
3. Dismisses the remainder of the action;
4. Orders the European Investment Bank to bear its own costs and to pay the costs incurred by Mr D Nicola.

⁽¹⁾ OJ C 186, 25.6.2011, p. 35.

Judgment of the Civil Service Tribunal (Single Judge) of 18 December 2015 — De Nicola v EIB

(Case F-37/12) ⁽¹⁾

(Civil Service — EIB staff — Psychological harassment — Investigation procedure — Report of the Investigation Panel — Incorrect definition of psychological harassment — Decision of the President of the EIB to take no action on a complaint — Annulment — Action for compensation)

(2016/C 048/98)

Language of the case: Italian

Parties

Applicant: Carlo De Nicola (Strassen, Luxembourg) (represented by: L. Isola, lawyer)

Defendant: European Investment Bank (represented by: G. Nuvoli and T. Gilliams, acting as Agents, and A. Dal Ferro, lawyer)