

Judgment of the Court (Second Chamber) of 27 March 2014 (request for a preliminary ruling from the Juzgado de lo Social No 2 de Terrassa — Spain) — Emiliano Torralbo Marcos v Korota SA, Fondo de Garantía Salarial

(Case C-265/13) ⁽¹⁾

(Request for a preliminary ruling — Charter of Fundamental Rights of the European Union — Article 47 — Right to an effective remedy — Judicial fees and deposits required for lodging appeals in employment law cases — Failure to implement EU law — Scope of EU law — Lack of jurisdiction of the Court)

(2014/C 151/08)

Language of the case: Spanish

Referring court

Juzgado de lo Social No 2 de Terrassa

Parties to the main proceedings

Applicant: Emiliano Torralbo Marcos

Defendants: Korota SA, Fondo de Garantía Salarial

Re:

Request for a preliminary ruling — Juzgado de lo Social de Terrassa — Interpretation of Art. 47 Charter of Fundamental Rights of the EU (OJ 2000, C 364, p. 1) and of Directive 2008/94/EC of the European Parliament and of the Council of 22 October 2008 on the protection of employees in the event of the insolvency of their employer (codified version) (OJ 2008 L 283, p. 36) — Right to effective judicial protection — National legislation making the bringing of legal proceedings subject to payment of the judicial fees — Powers of the national court hearing the action — Application in the field of social policy — Insolvency of employers.

Operative part of the judgment

The Court of Justice of the European Union has no jurisdiction to answer the questions referred for a preliminary ruling by the Juzgado de la Social No 2 de Terrassa (Spain).

⁽¹⁾ OJ C 207, 20.7.2013.

Judgment of the Court (Seventh Chamber) of 27 March 2014 (request for a preliminary ruling from the Tribunal Superior de Justicia de la Comunidad Valenciana — Spain) — Ayuntamiento de Benferri v Consejería de Infraestructuras y Transporte, Iberdrola Distribución Eléctrica SAU

(Case C-300/13) ⁽¹⁾

(Reference for a preliminary ruling — Directive 85/337/EEC — Assessment of the effects of certain projects on the environment — Construction of certain overhead electrical power lines — Extension of an electrical substation — Project not made subject to an environmental assessment)

(2014/C 151/09)

Language of the case: Spanish

Referring court

Tribunal Superior de Justicia de la Comunidad Valenciana

Parties to the main proceedings

Applicant: Ayuntamiento de Benferri

Defendants: Consejería de Infraestructuras y Transporte, Iberdrola Distribución Eléctrica SAU

Re:

Request for a preliminary ruling — Tribunal Superior de Justicia de la Comunidad Valenciana — Interpretation of point 20 of Annex I and section 3(b) of Annex II to Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment (OJ 1985 L 175, p. 40), as amended by Directive 97/11/EC (OJ 1997 L 73, p. 5) — Construction of overhead electrical power lines with a voltage of 220 kV or more and a length of more than 15 km — Concept — Project to extend an electrical substation independently of the existing overhead power line — National legislation which does not provide for the submission of that project to an environmental assessment.

Operative part of the judgment

The provisions of point 20 of Annex I and section 3(b) of Annex II to Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment, as amended by Council Directive 97/11/EC of 3 March 1997, must be interpreted as meaning that a project such as that at issue in the main proceedings, which relates only to the extension of an electrical voltage transformer substation, is not, as such, among the projects covered by those provisions, unless that extension is part of the construction of overhead electrical power lines, which it is for the national court to ascertain.

⁽¹⁾ OJ C 226, 3.8.2013.

Judgment of the Court (Second Chamber) of 27 March 2014 (request for a preliminary ruling from the Landesgericht Bozen — Italy) — Ulrike Elfriede Grauel Ruffer v Katerina Pokorná

(Case C-322/13) ⁽¹⁾

(Citizenship of the Union — Principle of non-discrimination — Language rules applicable to civil proceedings)

(2014/C 151/10)

Language of the case: German

Referring court

Landesgericht Bozen

Parties to the main proceedings

Applicant: Ulrike Elfriede Grauel Ruffer

Defendant: Katerina Pokorná

Re:

Request for a preliminary ruling — Tribunale di Bolzano/Landesgericht Bozen — Interpretation of Articles 18 and 21 TFEU — Non-discrimination and citizenship of the Union — Language regime applicable to civil proceedings — Derogation for nationals — Extension of that derogation to EU nationals in the same situation as nationals

Operative part of the judgment

Articles 18 TFEU and 21 TFEU must be interpreted as precluding national rules, such as those at issue in the main proceedings, which grant the right to use a language other than the official language of that State in civil proceedings brought before the courts of a Member State which are situated in a specific territorial entity, only to citizens of that State who are domiciled in the same territorial entity.

⁽¹⁾ OJ C 226, 3.8.2013.
