

EUROPEAN UNION CIVIL SERVICE TRIBUNAL

Judgment of the Civil Service Tribunal (Third Chamber) of 26 February 2014 — Diamantopoulos v EEAS

(Case F-53/13) ⁽¹⁾

(Civil service — Officials — Promotion — Decision not to promote the applicant to grade AD 12 — Implied decision rejecting the complaint — Express decision rejecting the complaint subsequent to the action — Statement of reasons)

(2014/C 102/64)

Language of the case: French

Parties

Applicant: Alkis Diamantopoulos (Brussels, Belgium) (represented by: S. Orlandi, J.-N. Louis and D. Abreu Caldas, lawyers)

Defendant: European External Action Service (EEAS) (represented by: S. Marquardt and E. Chaboureau, acting as Agents)

Re:

Application for annulment of the decision not to promote the applicant to grade AD 12 in the 2012 promotion year.

Operative part of the judgment

The Tribunal:

1. Annuls the decision of the European External Action Service not to promote Mr Diamantopoulos to grade AD 12 in the 2012 promotion exercise;
2. Declares that the European External Action Service is to bear its own costs and orders it to pay the costs incurred by Mr Diamantopoulos.

⁽¹⁾ OJ C 215, 27.7.2013, p. 20.

Order of the Civil Service Tribunal (Third Chamber) of 25 February 2014 — Marcuccio v Commission

(Case F-118/11) ⁽¹⁾

(Civil service — Officials — Decision by the appointing authority to retire an official and to grant an invalidity allowance — Decision not addressing the occupational origin of the disease which justified retirement — Obligation on the appointing authority to recognise the occupational origin of the disease — Article 78, fifth paragraph, of the Staff Regulations — Need to convene a new invalidity committee — Relevance of an earlier decision adopted under Article 73 of the Staff Regulations — Article 76 of the Rules of Procedure — Action in part manifestly inadmissible and in part manifestly unfounded)

(2014/C 102/65)

Language of the case: Italian

Parties

Applicant: Luigi Marcuccio (Tricase, Italy) (represented by: G. Cipressa, lawyer)

Defendant: European Commission (represented by: C. Berardis-Kayser and J. Banquero Cruz, Agents, and A. Dal Ferro, lawyer)