

Order of the Civil Service Tribunal (2nd Chamber) of 30 September 2014 — DM v BEREC(Case F-35/12) ⁽¹⁾

(Civil service — Member of the contract staff — Conditions of engagement — Medical examination on engagement — Article 100 of the CEOS — Deferment of medical cover — Contract terminated at the end of the probationary period — Claims for annulment which have become devoid of purpose — Deferment of medical cover on the engagement of the member of staff concerned by another agency of the European Union — No effect — No need to adjudicate)

(2014/C 421/75)

Language of the case: French

Parties

Applicant: DM (represented by: initially, D. Abreu Caldas, A. Coolen, J.-N. Louis, É. Marchal and S. Orlandi, lawyers, then D. Abreu Caldas, J.-N. Louis and S. Orlandi, lawyers)

Defendant: The Body of European Regulators for Electronic Communications (represented by: M. Chiodi, Agent, D. Waelbroeck, A. Duron, lawyers)

Re:

Application for annulment of the decision to defer the applicant's medical cover from the date of his entry into service and of the decision rejecting the applicant's complaint.

Operative part of the order

1. *There is no further need to adjudicate on the dispute.*
2. *The Body of European Regulators for Electronic Communications is to bear its own costs and is ordered to pay the costs incurred by DM.*

⁽¹⁾ OJ C 138 of 12/05/2012, p. 37.

Order of the Civil Service Tribunal (First Chamber) of 9 November 2013 — Marcuccio v Commission(Case F-9/13) ⁽¹⁾

(Civil service — Time-limit for bringing proceedings — Action out of time — Action manifestly inadmissible)

(2014/C 421/76)

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 G. Gattinara, acting as Agents)

Re:

Application for annulment of the Commission's decision to set off the sum corresponding to the costs it was ordered to pay by the General Court in Case T-176/04 against the greater sum which the applicant is required to pay pursuant to the order in Case T-241/03.

Operative part of the order

1. *The application is dismissed as manifestly inadmissible.*
2. *Mr Marcuccio is ordered to bear his own costs and to pay the costs incurred by the European Commission.*

⁽¹⁾ OJ C 215, 27.7.2013, p. 20.

Order of the Civil Service Tribunal (Second Chamber) of 10 July 2014 — Mészáros v Commission
(Case F-22/13) ⁽¹⁾

(Civil service — Competitions — Notice of competition EPSO/AD/207/11 — Successful candidate included on the reserve list — Verification by the appointing authority of the conditions for taking part in an AD 7 grade competition — Professional experience of a shorter duration than the minimum duration required — Manifest error of assessment by the selection board — Withdrawal by the appointing authority of the offer of employment — Mandatory duty of the appointing authority)

(2014/C 421/77)

Language of the case: English

Parties

Applicant: Mátyás Tamás Mészáros (Kraków, Poland) (represented by: M. Pecyna, lawyer)

Defendant: European Commission (represented by: B. Eggers and G. Gattinara, acting as Agents)

Re:

Application for annulment of the decision rejecting the request for recruitment of the applicant made by ESTAT and finding that the applicant did not meet the conditions for admission to competition EPSO/AD/207/11.

Operative part of the order

1. *The action is dismissed as manifestly unfounded.*
2. *The European Commission is to bear its own costs and shall pay the costs incurred by Mr Mészáros.*

⁽¹⁾ OJ C 291, 5.10.2013, p. 7.

Order of the Civil Service Tribunal (First Chamber) of 20 March 2014 — Marcuccio v Commission
(Case F-33/13)

(Civil service — Article 34(1) and (6) of the Rules of Procedure — Application lodged by fax within the time-limit for bringing proceedings — Lawyer's handwritten signature different from that on the original application received by post — Action out of time — Manifest inadmissibility)

(2014/C 421/78)

Language of the case: Italian

Parties

Applicant: Luigi Marcuccio (Tricase, Italy) (represented by: G. Cipressa and L. Mansullo, lawyers)

Defendant: European Commission