

## EUROPEAN UNION CIVIL SERVICE TRIBUNAL

**Judgment of the Civil Service Tribunal (Second Chamber) of 6 November 2014 — DH v Parliament**

(Case F-4/14) <sup>(1)</sup>

*(Civil service — Probationary official — Article 34 of the Staff Regulations — Probation report establishing the obvious inadequacy of the probationary official — Extension of the probationary period — Reassignment — Dismissal at the end of the probationary period — Conditions under which the probationary period progressed — Professional incompetence — Duty of care — Principle of sound administration)*

(2014/C 448/47)

Language of the case: French

### Parties

*Applicant:* DH (represented by: A. Salerno and B. Cortese, lawyers)

*Defendant:* European Parliament (represented by: S. Alves and M. Ecker, Agents)

### Re:

Application to annul the decision to dismiss the applicant at the end of the probationary period.

### Operative part of the judgment

*The Tribunal:*

1. Dismisses the action;
2. Orders DH to bear his own costs and to pay the costs incurred by the European Parliament.

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<sup>(1)</sup> OJ C 61, 1/3/2014, p. 22.

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**Order of the Civil Service Tribunal (Third Chamber) of 5 November 2014 — CY v ECB**

(Case F-68/13) <sup>(1)</sup>

*(Death of the applicant — Reopening of the oral procedure — Legal successor choosing not to resume the proceedings — No need to adjudicate)*

(2014/C 448/48)

Language of the case: English

### Parties

*Applicant:* CY (represented by: L. Levi and M. Vandenbussche, lawyers)

*Defendant:* European Central Bank (represented by: E. Carlini and F. Feyerbacher, acting as Agents, assisted by B. Wägenbaur, lawyer)

**Re:**

Application for annulment, first, of the decision to close the administrative inquiry brought regarding psychological harassment allegedly suffered by the applicant and, secondly, of the inquiry report, and for damages to be granted in respect of the non-material harm allegedly suffered.

**Operative part of the order**

- 1) *There is no longer any need to rule on the action.*
- 2) *Each party is to bear its own costs.*

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<sup>(1)</sup> OJ C 274, 21.9.2013, p. 31.

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**Action brought on 4 September 2014 — ZZ v European Commission**

**(Case F-90/14)**

(2014/C 448/49)

*Language of the case: German*

**Parties**

*Applicant:* ZZ (represented by: Hans-Robert Ilting, lawyer)

*Defendant:* European Commission

**Subject-matter and description of the proceedings**

Application, first, to set aside the decision not to grant the applicant the child allowance from 1 September 2013 because his child is no longer receives 'educational or vocational training' within the meaning of Article 2 of Annex VII of the Staff Regulations of officials and, second, to oblige his employer to continue to grant him that allowance and to reimburse him all medical expenses for his daughter retroactively from 1 September 2013.

**Form of order sought**

The applicant claims that the Court should:

- annul the Commission's decision, reference HR.D.2/AS/ac/Ares(2014) of 5 June 2014 relating to his complaint, registered on 12 February 2014 with HR.D.2, 'Appeals and case monitoring', under reference no R/227/14;
- oblige the appointing authority to recognise his daughter, continuously and retroactively from 1 September 2013, as being a dependent child in education and for this reason to continue to grant the child allowance for his daughter continuously and retroactively from 1 September 2013 and to continue to provide, continuously and retroactively from 1 September 2013, his daughter's medical expenses.