

In support of the action, the applicant relies, essentially, on a single plea in law, alleging errors committed by the Commission which prevented the recovery by offsetting claims against sums paid to the applicant by the Commission. The applicant claims, in essence, that the conditions for recovery by offsetting were not met. First, the claim of the Commission against the applicant was neither certain, nor payable. Second, the Commission had not complied with Article 87(2) (recovery by offsetting) and Article 88 (recovery procedure failing voluntary payment) of Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union. Finally, the applicant claims that the Commission has no contractual claim against it. In the alternative, in the event that the Court holds that the offsetting is valid, the applicant submits that the refund of the total amount of the grant it received is contrary to the principle of proportionality and amounts to the unjust enrichment of the Commission.

Order of the General Court of 22 October 2015 — Elan v Commission

(Case T-27/13) ⁽¹⁾

(2015/C 429/37)

Language of the case: Slovene

The President of the Fifth Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 86, 23.3.2013.

Order of the General Court of 21 October 2015 — ECC Couture v OHIM — Ball Wholesale (Culture)

(Case T-28/13) ⁽¹⁾

(2015/C 429/38)

Language of the case: English

The President of the Third Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 79, 16.3.2013.

Order of the General Court of 28 October 2015 — Ryanair v Commission

(Case T-260/13) ⁽¹⁾

(2015/C 429/39)

Language of the case: English

The President of the Sixth Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 189, 29.6.2013.
