

**Re:**

Application, firstly, on the basis of Article 263 TFEU for annulment of the EIT's decision of 14 April 2014 ranking the tender submitted by the applicants in the context of an invitation to tender relating to computer and related services in second place, and for annulment of the EIT's letter of 25 April 2014 by which it refused to communicate the names of the members of the evaluation committee and, secondly, on the basis of Article 168 TFEU, for damages.

**Operative part of the judgment**

*The Court:*

1. *Dismisses the action;*
2. *Orders European Dynamics Luxembourg SA and Evropaiki Dynamiki — Proigmena Systimata Tilepikoinonion Pliroforikis kai Tilematikis AE to pay the costs.*

<sup>(1)</sup> OJ C 351, 6.10.2014.

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**Judgment of the General Court of 15 September 2016 — European Dynamics Luxembourg and Evropaiki Dynamiki v Commission**

(Case T-698/14) <sup>(1)</sup>

*(Public service contracts — Public procurement procedure — External service provision for development, studies and support for information systems (ESP DESIS III) — Ranking of a tenderer in the cascade procedure — Obligation to state reasons — Abnormally low bids — Principle of free competition — Non-contractual liability)*

(2016/C 402/42)

*Language of the case: Greek*

**Parties**

*Applicants:* European Dynamics Luxembourg SA (Ettelbrück, Luxembourg) and Evropaiki Dynamiki — Proigmena Sistimata Tilepikoinonion Pliroforikis kai Tilematikis AE (Athens, Greece) (represented initially by: V. Christianos, I. Ampazis and M. Sfyri, lawyers, and subsequently by: M. Sfyri, lawyer)

*Defendant:* European Commission (represented by: S. Delaude and S. Lejeune, acting as Agents, and, initially, E. Petritsi, E. Roussou and K. Adamantopoulos, and, subsequently, E. Roussou and K. Adamantopoulos, lawyers)

**Re:**

Firstly, application on the basis of Article 263 TFEU seeking the annulment of the Commission's decisions to rank in third and fourth positions under the cascade mechanism the bids made by the applicants for lots Nos 1 and 3 under open call for tenders No DIGIT/R2/PO/2013/029 — ESP DESIS III concerning 'External service provision for development, studies and support for information systems' (OJ 2013/S 19-0380314) and to exclude their bid for lot No 2 under that call for tenders and, secondly, application on the basis of Article 268 TFEU seeking compensation for the loss allegedly suffered by the applicants.

**Operative part of the judgment**

*The Court:*

1. *Dismisses the action;*
2. *Orders European Dynamics Luxembourg and Evropaiki Dynamiki — Proigmena Sistimata Tilepikoinonion Pliroforikis kai Tilematikis AE to pay the costs.*

<sup>(1)</sup> OJ C 448, 15.12.2014.