

Defendant: European External Action Service (represented by: S. Marquardt and M. Silva, acting as Agents)

Re:

Application for annulment of the decision of the EEAS terminating the applicant's contract of employment for an indefinite period, and a claim for compensation for the material and non-material damage which the applicant claims to have suffered.

Operative part of the judgment

The Tribunal:

1. Annuls the decision of 29 January 2014 by which the Director of the 'Human Resources' Directorate of the European External Action Service, acting in his capacity as the authority authorised to conclude contracts of employment, decided to terminate GV's employment contract with effect from 31 August 2014;
2. Orders the European External Action Service to pay GV the sum of EUR 5 000 by way of compensation for the non-material damage suffered;
3. Dismisses the action as to the remainder;
4. Orders the European External Action Service to bear its own costs and to bear the costs incurred by GV.

⁽¹⁾ OJ C 34, 2.2.2015, p. 54.

Judgment of the Civil Service Tribunal (Third Chamber) of 5 February 2016 –Barnett and Mogensen v Commission

(Case F-56/15) ⁽¹⁾

(Civil service — Retired officials — Retirement pensions — Article 64 of the Staff Regulations — Weightings — Annual update of weightings — Article 65(2) of the Staff Regulations — Interim update — Articles 3, 4 and 8 of Annex XI to the Staff Regulations — Sensitivity threshold — Change in the cost of living — Article 65(4) of the Staff Regulations — Decision by the legislature not to update the weightings for 2013 and 2014 — Scope — Regulation No 1416/2013 — Over-estimation of the weighting for Denmark — Reduction of the weighting through the interim update mechanism — Misuse of powers)

(2016/C 106/58)

Language of the case: French

Parties

Applicants: Adrian Barnett (Roskilde, Denmark) and Sven-Ole Mogensen (Hellerup, Denmark) (represented by: S. Orlandi and T. Martin, lawyers)

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

Re:

Application for annulment of the decisions to reduce the weighting applicable to the pensions of the applicants, who are resident in Denmark, as is apparent from their pension receipts for June 2014, and a claim for compensation for the non-material damage which they claim to have suffered as a result of the different and contradictory information used to support the contested decisions.

Operative part of the judgment

The Tribunal:

1. *Dismisses the action;*
2. *Orders Mr Barnett and Mr Mogensen to bear their own costs and to pay the costs incurred by the European Commission.*

⁽¹⁾ OJ C 213, 29.6.2015, p. 46.

Judgment of the Civil Service Tribunal (Third Chamber) of 5 February 2016 –Clausen and Kristoffersen v Parliament

(Case F-62/15) ⁽¹⁾

(Civil service — Retired officials — Retirement pensions — Article 64 of the Staff Regulations — Weightings — Annual update of weightings — Article 65(2) of the Staff Regulations — Interim update — Articles 3, 4 and 8 of Annex XI to the Staff Regulations — Sensitivity threshold — Change in the cost of living — Article 65(4) of the Staff Regulations — Decision by the legislature not to update the weightings for 2013 and 2014 — Scope — Regulation No 1416/2013 — Over-estimation of the weighting for Denmark — Reduction of the weighting through the interim update mechanism — Misuse of powers)

(2016/C 106/59)

Language of the case: French

Parties

Applicants: Svend Leon Clausen (Jyllinge, Denmark) and Niels Kristoffersen (Køge, Denmark) (represented by: S. Orlandi and T. Martin, lawyers)

Defendant: European Parliament (represented by: E. Taneva and L. Deneys, acting as Agents)

Re:

Application for annulment of the decisions to reduce the weighting applicable to the pensions of the applicants, who are resident in Denmark, as is apparent from their pension receipts for June 2014, and a claim for compensation for the non-material damage which they claim to have suffered as a result of the different and contradictory information used to support the contested decisions.

Operative part of the judgment

The Tribunal:

1. *Dismisses the action;*
2. *Orders Mr Clausen and Mr Kristoffersen to bear their own costs and to pay the costs incurred by the European Parliament.*

⁽¹⁾ OJ C 213, 29.6.2015, p. 49.