

EUROPEAN UNION CIVIL SERVICE TRIBUNAL

Order of the Civil Service Tribunal (2nd Chamber) of 30 November 2015 — O’Riain v Commission

(Case F-104/14) ⁽¹⁾

(Civil service — Competitions — Competition notice EPSO/AD/241/12 — Decision not to include the applicant on the reserve list — Principle of equal treatment of candidates — Impartiality of the selection board — Action manifestly unfounded)

(2016/C 027/98)

Language of the case: French

Parties

Applicant: Donncha O’Riain (Luxembourg, Luxembourg) (represented by: A. Salerno, lawyer)

Defendant: European Commission (represented by: C. Ehrbar and G. Gattinara, Agents)

Re:

Application for annulment of the decision not to include the applicant on the reserve list for Competition EPSO/AD/241/12-GA.

Operative part of the order

1. *The action is dismissed as in part manifestly inadmissible and in part manifestly unfounded.*
2. *Mr O’Riain shall bear his own costs and is ordered to pay the costs incurred by the European Commission.*

⁽¹⁾ OJ C 7 of 12/1/2015, p. 52.

Action brought on 30 October 2015 — ZZ v Council

(Case F-137/15)

(2016/C 027/99)

Language of the case: French

Parties

Applicant: ZZ (represented by: J.-N. Louis and N. de Montigny, lawyers)

Defendant: Council of the European Union

Subject-matter and description of the proceedings

Annulment of the final decisions to transfer the applicant’s pension rights to the European Union pension scheme, which apply the new general implementing provisions of 3 March 2011 for Article 11(2) of Annex VIII to the Staff Regulations.

Form of order sought

The applicant claims that the Tribunal should:

- annul the decisions of 5 and 7 January 2015 and the decision of 23 February 2015 calculating the bonus on the applicant's pension rights acquired prior to taking up his position at the Council;
- annul, so far as necessary, the decision of 23 July 2015 rejecting the applicant's complaint seeking the application of the general implementing provisions and the actuarial reference rate in force at the time of his application for the transfer of his pension rights;
- order the Council of the European Union to pay the costs.

Action brought on 2 November 2015 — ZZ v Parliament**(Case F-138/15)**

(2016/C 027/100)

*Language of the case: English***Parties**

Applicant: ZZ (represented by: T. Bontinck and A. Guillerme, lawyers)

Defendant: European Parliament

Subject-matter and description of the proceedings

Annulment of the decision to terminate the applicant's contract of employment and claim for damages in respect of the non-material damage allegedly suffered.

Form of order sought

- Annul the decision dated 19 December 2014 to terminate the applicant's contract of employment;
- order the European Parliament to compensate the applicant for the non-material damage suffered, assessed provisionally on an *ex aequo et bono* basis at EUR 20 000;
- order the defendant to pay the costs

Action brought on 17 November 2015 — ZZ v Parliament**(Case F-142/15)**

(2016/C 027/101)

*Language of the case: French***Parties**

Applicant: ZZ (represented by: A. Tymen, lawyer)

Defendant: European Parliament