

GENERAL COURT

Judgment of the General Court of 15 October 2018 — Vereniging Gelijkberechtiging Grondbezitters and Others v Commission

(Case T-79/16) ⁽¹⁾

(State aid — Aid scheme relating to the subsidised acquisition or free granting of nature land — Decision declaring the aid compatible with the internal market at the end of the preliminary examination stage — No formal investigation procedure — Locus standi — Notion of interested party — Admissibility — Infringement of procedural rights — Serious difficulties — Substantial effect on the competitive position of the competing undertakings)

(2018/C 436/47)

Language of the case: Dutch

Parties

Applicants: Vereniging Gelijkberechtiging Grondbezitters (Hoenderloo, Netherlands) and 21 other applicants whose names are listed in Annex I to the judgment (represented by: H. Viaene, D. Gillet and T. Ruys, lawyers)

Defendant: European Commission (represented by: P.-J. Loewenthal and S. Noë, acting as Agents)

Interveners in support of the defendant: Vereniging tot Behoud van Natuurmonumenten in Nederland ('s-Graveland, Netherlands) and 12 other interveners whose names are listed in Annex II to the judgment (represented by: P. Kuypers and M. de Wit, lawyers)

Re:

Application based on Article 263 TFEU seeking annulment of Commission Decision C(2015) 5929 final of 2 September 2015 on State Aid SA.27301 (2015/NN) — Netherlands in connection with the subsidised acquisition or free granting of nature land, a summary of which was published in the Official Journal of the European Union (OJ 2006 C 9, p. 1).

Operative part of the judgment

The Court:

1. Annuls Commission Decision C(2015) 5929 final of 2 September 2015 on State Aid SA.27301 (2015/NN) — Netherlands in connection with the subsidised acquisition or free granting of nature land;
2. Orders the European Commission to bear its own costs and to pay those incurred by Vereniging Gelijkberechtiging Grondbezitters and the other applicants whose names are listed in Annex I;
3. Orders Vereniging tot Behoud van Natuurmonumenten in Nederland and the other interveners whose names are listed in Annex II to bear their own costs.

⁽¹⁾ OJ C 118, 4.4.2016.