

4. Infringement of the appellants' rights of defence in relation to the evaluation of the material damage suffered.
5. Error of law in that the judgment under appeal contains a manifest contradiction in relation to the period in respect of which compensation had to be paid.

Request for a preliminary ruling from the Østre Landsret (Denmark) lodged on 2 May 2017 — Érdem Deha Altiner, Isabel Hanna Ravn v Udlændingestyrelsen (Danish Immigration Service)

(Case C-230/17)

(2017/C 213/30)

Language of the case: Danish

Referring court

Østre Landsret

Parties to the main proceedings

Applicant: Érdem Deha Altiner, Isabel Hanna Ravn

Defendant: Udlændingestyrelsen

Questions referred

Does Article 21 of the Treaty on the Functioning of the European Union, read in conjunction and by analogy with the Free Movement Directive⁽¹⁾ preclude a Member State from refusing to grant a derived right of residence to a third-country national who is a family member of a Union citizen who is a national of that Member State and who has returned to that Member State after having exercised his or her right of free movement, where the family member does not enter the Member State's territory or submit an application for a right of residence as a natural extension of the Union citizen's return?

⁽¹⁾ Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC (OJ 2004 L 158, p. 77).

Request for a preliminary ruling from the Korkein hallinto-oikeus (Finland) lodged on 10 May 2017 — E

(Case C-240/17)

(2017/C 213/31)

Language of the case: Finnish

Referring court

Korkein hallinto-oikeus

Parties to the main proceedings

Applicant: E

Other parties to the proceedings: Maahanmuuttovirasto

Questions referred

1. Is Article 25(2) of the Convention implementing the Schengen Agreement to be interpreted as meaning that the obligation to consult among Contracting States has legal effects that can be relied on by third-country national in a situation in which a Contracting State imposes an entry ban for the entire Schengen Area and order his return to his home country on the ground that he constitutes a threat to public order and public safety?

2. If Article 25(2) of Convention applies to the imposition of an entry ban, must the consultations begin before the imposition of the entry ban or may the consultation start only after the imposition of the ban when the decision to deport that person and to impose an entry ban has been taken?
 3. If the consultations may begin only afterwards, when the decision to return that person and to impose an entry ban has been taken, does the fact that negotiations between Contracting States are on-going and that the other Contracting State has not indicated its intention to withdraw the residence permit of the third-country national prevent the decision to deport the third country national and the imposition of an entry ban with respect to the entire Schengen Area from taking effect?
 4. How is a Contracting State to proceed in circumstances in which the Contracting State which granted the residence permit, despite repeated requests, has not expressed its views regarding the withdrawal of the residence permit granted to a third country national?
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