

**Re:**

Application under Article 270 TFEU and Article 50a of the Statute of the Court of Justice of the European Union and seeking, first, annulment of the 'decisions' of the EIB, contained in the applicants' pay slips for February 2011, to increase the rate of their contributions to the pension scheme from 9 % to 10 % and, secondly, an order that the EIB pay a symbolic EUR 1 by way of compensation for the non-material damage allegedly suffered by the applicants.

**Operative part of the judgment**

*The Court:*

1. *Dismisses the action as inadmissible.*
2. *Orders Mr Oscar Orlando Arango Jaramillo and the other staff of the European Investment Bank (EIB) listed in the Annex to bear their own costs and to pay those incurred by the EIB.*

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<sup>(1)</sup> OJ C 211, 16.7.2011 (case initially registered before the European Union Civil Service Tribunal under Case No F-58/11 and transferred to the General Court of the European Union on 1.9.2016).

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**Judgment of the General Court of 7 February 2019 — RK v Council**

(Case T-11/17) <sup>(1)</sup>

*(Civil service — Officials — Article 42c of the Staff Regulations — Placing official on leave in the interests of the service — Equal treatment — Prohibition of discrimination on the grounds of age — Manifest error of assessment — Right to be heard — Duty to have regard for the welfare of officials — Responsibility)*

(2019/C 103/29)

*Language of the case: French*

**Parties**

*Applicant:* RK (represented initially by: L. Levi and A. Tymen and subsequently by L. Levi, lawyers)

*Defendant:* Council of the European Union (represented by M. Bauer and R. Meyer, acting as Agents)

*Intervener in support of the defendant:* European Parliament (represented by A. Troupiotis and J. A. Steele, acting as Agents)

**Re:**

Application based on 270 TFEU and seeking, first, annulment of the undated decision of the Council to place the applicant on leave in the interests of the service on the basis of Article 42c of the Staff Regulations of Officials of the European Union and, in so far as necessary, of the decision of 27 September 2016 rejecting the complaint lodged by the applicant and, secondly, compensation for the loss allegedly suffered by the applicant.

**Operative part of the judgment**

*The Court:*

1. *Dismisses the action.*
2. *Orders RK to bear 80 % of her own costs.*

3. Orders the Council of the European Union to bear its own costs and 20 % of the costs incurred by RK.
4. Orders the European Parliament to pay its own costs.

<sup>(1)</sup> OJ C 95, 27.3.2017.

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**Judgment of the General Court of 17 January 2019 — Proximus v Council**

(Case T-117/17) <sup>(1)</sup>

**(Public service contracts — Negotiated procedure — Most economically advantageous tender — Rejection of the tender submitted by a tenderer — Discretion of a contracting authority — Lawfulness of the evaluation method — Principle of sound financial management)**

(2019/C 103/30)

Language of the case: English

**Parties**

*Applicant:* Proximus SA/NV (Brussels, Belgium) (represented by: B. Schutyser, lawyer)

*Defendant:* Council of the European Union (represented by: A. Jaume and S. Cholakova, acting as Agents, and by P. de Bandt, P. Teerlinck and M. Gherghinaru, lawyers)

**Re:**

Application under Article 263 TFEU seeking annulment of the decision of the Council of 23 December 2016 to award the framework contract for the provision of cybersecurity services [confidential], to another tenderer.

**Operative part of the judgment**

*The Court:*

1. Dismisses the action.
2. Orders Proximus SA/NV to pay the costs, including those incurred in the proceedings for interim measures.

<sup>(1)</sup> OJ C 151, 15.5.2017.

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**Judgment of the General Court of 22 January 2019 — EKETA v Commission**

(Case T-166/17) <sup>(1)</sup>

**(Arbitration clause — Sensation contract concluded within the context of the sixth framework programme — Eligible costs — Debit note issued by the defendant for the recovery of sums advanced — Reliability of the time records — Conflict of interests)**

(2019/C 103/31)

Language of the case: Greek

**Parties**

*Applicant:* Ethniko Kentro Erevnas kai Technologikis Anaptyxis (EKETA) (Thessaloniki, Greece) (represented by: V. Christianos and S. Paliou, lawyers)