

Judgment of the General Court of 20 September 2019 — Barata v Parliament(Case T-467/17) ⁽¹⁾

(Action for annulment — Civil service — Selection procedure for contract staff — Recruitment — Call for expressions of interest EP/CAST/S/16/2016 — Drivers — Practical and theoretical tests organised following the establishment of a database — Failure in the theoretical test — Annulment of the call for expressions of interest and voiding of the database — Action which has become devoid of purpose — Continuing interest in bringing proceedings — No need, in part, to adjudicate — Inadmissibility in part)

(2019/C 406/28)

Language of the case: English

Parties

Applicant: Carlos Manuel Henriques Barata (Lisbon, Portugal) (represented by: G. Pandey, D. Rovetta and V. Villante, lawyers)

Defendant: European Parliament (represented by: J. Steele, I. Terwinghe and M. Windisch, acting as Agents)

Re:

Application under Article 270 TFEU seeking annulment of the call for expressions of interest EP/CAST/S/16/2016, issued by the Parliament for the recruitment of drivers, and of various acts adopted by the Parliament in connection with that selection procedure, including, in particular, the decision of 26 October 2016 informing the applicant that he was not among the candidates selected for a post as a driver and the decision of 25 April 2017 rejecting the complaint lodged by the applicant against that decision.

Operative part of the judgment

The Court:

1. Declares that there is no longer any need to adjudicate on the request for annulment of the call for expressions of interest EP/CAST/S/16/2016, of the decision of 26 October 2016 informing Mr Carlos Manuel Henriques Barata that he was not among the candidates selected for a post as a driver, and of the decision of 25 April 2017 rejecting the complaint lodged by Mr Barata against that decision;
2. Declares that there is also no longer any need to adjudicate on the request for a declaration that the call for expressions of interest EP/CAST/S/16/2016 does not apply to Mr Barata;
3. Dismisses the remainder of the action as inadmissible;
4. Orders the European Parliament to bear its own costs and to pay those incurred by Mr Barata.

⁽¹⁾ OJ C 347, 16.10.2017
