

*Defendant:* European Parliament (represented by: Z. Nagy and B. Simon, acting as Agents)

**Re:**

Action under Article 263 TFEU seeking, first, annulment of the decision of the Parliament of 24 November 2017 rejecting the applicant's tender and awarding to five tenderers a framework contract involving general contractor works for Parliament buildings in Brussels (Belgium) (call for tenders 06D20/2017/M036) and, second, an order for the Parliament to produce various documents.

**Operative part of the order**

1. *There is no longer any need to adjudicate on the action;*
2. *The European Parliament is ordered to pay the costs, including those relating to the proceedings for interim measures;*
3. *The head of claim requesting that the Parliament be ordered to pay 'procedural compensation' is rejected as inadmissible.*

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(<sup>1</sup>) OJ C 32, 29.1.2018.

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**Order of the General Court of 8 March 2019 — Legutko and Poręba v Parliament**

**(Case T-156/18) (<sup>1</sup>)**

***(Action for failure to act — Institutional law — Rules of Procedure of the Parliament — Article 130 — Annex II — Question for written answer — Request that the question be forwarded to the Council — Notification of the decision finding the question inadmissible — Invitation to act — Position of the Parliament — Application for an injunction — Inadmissible)***

(2019/C 155/53)

*Language of the case: Polish*

**Parties**

*Applicants:* Ryszard Antoni Legutko (Morawica, Poland) and Tomasz Piotr Poręba (Mielec, Poland) (represented by: M. Mataczyński, lawyer)

*Defendant:* European Parliament (represented by: N. Görlitz, S. Alonso de León and A. Pospíšilová, acting as Agents)

**Re:**

Action under Article 265 TFEU seeking a declaration that the Parliament unlawfully failed to forward Question for written answer P-003358/17 to the Council of the European Union, in breach of Article 130 of the Rules of Procedure of the Parliament and the provisions of Annex II thereto.

**Operative part of the order**

1. *The action is dismissed as inadmissible;*
2. *Mr Ryszard Antoni Legutko and Mr Tomasz Piotr Poręba are ordered to pay the costs.*

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(<sup>1</sup>) OJ C 161, 7.5.2018.

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**Action brought on 25 February 2019 — Necci v Commission****(Case T-129/19)**

(2019/C 155/54)

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

*Applicant:* Claudio Necci (Brussels, Belgium) (represented by: S. Orlandi and T. Martin, lawyers)

*Defendant:* European Commission

**Form of order sought**

The applicant claims that the Court should:

- annul the decision of 18 April 2018 rejecting his application for membership of the JSIS;
- order the Commission to pay the costs.

**Pleas in law and main arguments**

In support of the action, the applicant relies on one main plea in law and one alternative plea in law.

Primarily, he claims that the European Commission infringed Article 95 of the Conditions of Employment of Other Servants (the CEOS<sup>1</sup>) by refusing to admit him as a member of the Joint Sickness Insurance Scheme (JSIS), without taking into account the additional contribution period granted to him in the pension scheme of the institutions of the Union in consideration for the transfer of his national pension rights.

In the alternative, the applicant raises an objection of illegality in respect of Article 95 of the CEOS having regard to Article 45 of the TFEU.

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