



Reports of Cases

Order of the General Court (Ninth Chamber) of 17 October 2019 – Jap Energéticas y Medioambientales v Commission

(Case T-145/19)

(Action for annulment — Grant agreement concluded under the Financial Instrument for the Environment (LIFE+) — Debit note — Measure which is part of a purely contractual context from which it is inseparable — No reclassification of the action — Manifest inadmissibility)

1. *Action for annulment — Action relating in reality to a contractual dispute — Annulment of a debit note issued by the Commission — Lack of jurisdiction of the EU judicature — Inadmissibility*

(Arts 263 and 299 TFEU)

(see paras 23-26)

2. *Action for annulment — Action relating in reality to a contractual dispute — Reclassification of the action — Conditions — Applicant not having expressly requested reclassification — Action not based on any plea claiming infringement of the rules governing the contractual relationship — Exclusion of reclassification*

(Arts 263 and 272 TFEU)

(see paras 28-37)

Re:

Application under Article 263 TFEU seeking annulment of a debit note issued by the Commission on 14 January 2019 in order to recover the sum of EUR 82 750.96 paid to the applicant in the context of financial assistance for a prototype project for the production of hydrogen using clean water, ammonia and recycled aluminium.

Operative part

1. The action is dismissed as manifestly inadmissible.

2. Jap Energéticas y Medioambientales, SL shall pay the costs, including those relating to the interlocutory proceedings.