

Judgment of the General Court of 10 May 2023 — Bastion Holding and Others v Commission(Case T-102/21) ⁽¹⁾***(State aid — Measures to support small and medium-sized enterprises in the context of the COVID-19 outbreak in the Netherlands — Decision not to raise any objections — Temporary framework for State aid measures — Obligation to state reasons)***

(2023/C 223/25)

Language of the case: English

Parties

Applicants: Bastion Holding BV (Amsterdam, Netherlands), and the 35 other applicants whose names are listed in the annex to the judgment (represented by: B. Braeken, X.Y.G. Versteeg, L. Elzas and T. Hieselaar, lawyers)

Defendant: European Commission (represented by: V. Bottka and M. Farley, acting as Agents)

Intervener in support of the defendant: Kingdom of the Netherlands (represented by: M. Bulterman and J. Langer, acting as Agents)

Re:

By their action under Article 263 TFEU, the applicants seek the annulment of Commission decision C(2020) 8286 final of 20 November 2020 on State Aid SA.59535 (2020/N) — The Netherlands — Amendment of the scheme SA.57712 — COVID-19: direct grant scheme to support the fixed costs for small and medium-sized enterprises affected by the COVID-19 outbreak.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Bastion Holding BV and the other applicant parties whose names are listed in the annex to bear their own costs and to pay those incurred by the European Commission;
3. Orders the Kingdom of the Netherlands to bear its own costs.

⁽¹⁾ OJ C 182, 10.5.2021.

Judgment of the General Court of 10 May 2023 — Ryanair v Commission (SAS II; COVID-19)(Case T-238/21) ⁽¹⁾***(State aid — Danish and Swedish air transport markets — Aid granted by Denmark and Sweden to an airline in the context of the COVID-19 pandemic — Recapitalisation of SAS — Decision not to raise any objections — Actions for annulment — Individual concern — Substantial effect on the competitive position — Admissibility — Temporary Framework for State aid measures — Aid to remedy a serious disturbance in the economy of a Member State — Compliance with the requirements of the Temporary Framework)***

(2023/C 223/26)

Language of the case: English

Parties

Applicant: Ryanair DAC (Swords, Ireland) (represented by: E. Vahida, F.-C. Laprévotte, V. Blanc, S. Rating and I.-G. Metaxas-Maranghidis, lawyers)

Defendant: European Commission (represented by: L. Flynn, J. Carpi Badía and A. Bouchagiar, acting as Agents)

Interveners in support of the defendant: Kingdom of Denmark (represented by: M. Søndahl Wolff, C. Maertens and C. Grønbech-Jensen, acting as Agents, and by R. Holdgaard, lawyer), Kingdom of Sweden (represented by: C. Meyer-Seitz, H. Shev, A. Runeskjöld, M. Salborn Hodgson, R. Shahsavan Eriksson, H. Eklinder and O. Simonsson, acting as Agents), SAS AB (Stockholm, Sweden) (represented by: F. Sjövall and A. Lundmark, lawyers)

Re:

By its action under Article 263 TFEU, the applicant seeks annulment of Commission Decision C(2020) 5750 final of 17 August 2020 on State Aid SA.57543 (2020/N) — Denmark and SA.58342 (2020/N) — Sweden — COVID-19 recapitalisation of SAS AB.

Operative part of the judgment

The Court:

1. Annuls Commission Decision C(2020) 5750 final of 17 August 2020 on State Aid SA.57543 (2020/N) — Denmark and SA.58342 (2020/N) — Sweden — COVID-19 recapitalisation of SAS AB;
2. Orders the European Commission to bear its own costs and to pay those incurred by Ryanair DAC, with the exception of those related to the interventions;
3. Orders the Kingdom of Denmark, the Kingdom of Sweden and SAS to bear their own costs and to pay those incurred by Ryanair as a result of their respective interventions.

⁽¹⁾ OJ C 242, 21.6.2021.

Judgment of the General Court of 3 May 2023 — SN v Parliament

(Case T-249/21) ⁽¹⁾

(Law governing the institutions — Rules governing the payment of expenses and allowances to Members of Parliament — Parliamentary assistance allowance — Recovery of sums unduly paid — Obligation to state reasons — Independence of Members — Error of assessment)

(2023/C 223/27)

Language of the case: English

Parties

Applicant: SN (represented by: P. Eleftheriadis, Barrister)

Defendant: European Parliament (represented by: N. Görlitz, T. Lazian and M. Ecker, acting as Agents)

Re:

By her action based on Article 263 TFEU, the applicant seeks annulment of the decision of the Secretary-General of the European Parliament of 21 December 2020 concerning the recovery of a sum of EUR 196 199,84 unduly paid by way of parliamentary assistance allowance, and of the corresponding debit note of 15 January 2021.

Operative part of the judgment

The Court:

1. Annuls the decision of the Secretary-General of the European Parliament of 21 December 2020 concerning the recovery from SN of a sum of EUR 196 199,84 unduly paid by way of parliamentary assistance and the corresponding debit note of 15 January 2021, in so far as they concern sums paid for May, July and November 2016, June 2017 and March, April and November 2018;
2. Dismisses the action as to the remainder;