

Parties to the main proceedings

Applicants: TD, SD

Defendant: mBank S.A.

Operative part of the order

The Court of Justice of the European Union manifestly lacks jurisdiction to answer the question referred for a preliminary ruling by the Sąd Rejonowy dla Warszawy — Śródmieście w Warszawie (District Court of Warsaw-Śródmieście, Warsaw, Poland) by decision of 18 January 2022.

⁽¹⁾ Date lodged: 25.2.2022.

Order of the Court (Eighth Chamber) of 2 December 2022 (request for a preliminary ruling from the Tribunalul Specializat Cluj — Romania) — NC v Compania Națională de Transporturi Aeriene Tarom SA

(Case C-229/22) ⁽¹⁾

(Reference for a preliminary ruling — Article 99 of the Rules of Procedure of the Court of Justice — Air transport — Regulation (EC) No 261/2004 — Article 5(1)(c)(iii) — Compensation and assistance to passengers — Cancellation of a flight — Right to compensation in the case of an offer of re-routing — Conditions — Divergence between different language versions of a provision of EU law — Re-routing allowing passengers to depart no more than one hour before their scheduled time of departure)

(2023/C 35/24)

Language of the case: Romanian

Referring court

Tribunalul Specializat Cluj

Parties to the main proceedings

Applicant: NC

Defendant: Compania Națională de Transporturi Aeriene Tarom SA

Operative part of the order

Article 5(1)(c)(iii) of Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91,

must be interpreted as meaning that in the event of cancellation of a flight, the passengers concerned have the right to compensation by the operating air carrier in accordance with Article 7 of that regulation, unless they are informed of the cancellation less than seven days before the scheduled time of departure, if that air carrier offers them re-routing, allowing them to depart no more than one hour before the scheduled time of departure and to reach their final destination less than two hours after the scheduled time of arrival.

⁽¹⁾ Date of filing: 29.3.2022.