

JUDGMENT OF THE COURT OF FIRST INSTANCE

(First Chamber)

of 18 December 1997

in Case T-90/95: *Walter Gill v. Commission of the European Communities* ⁽¹⁾

(Officials — Medical examinations — Failure to communicate information on state of health — Right to keep his state of health secret)

(98/C 41/41)

(Language of the case: French)

In Case T-90/95: *Walter Gill*, former official of the Commission of the European Communities, represented by Jean-Noël Louis, Thierry Demaseure and Ariane Tornel, of the Brussels Bar, with an address for service in Luxembourg at Fiduciaire Myson SARL, 30 Rue de Cessange, against Commission of the European Communities (Agents: Julian Curall and Jean-Luc Fagnart) — application for reparation for the harm suffered by the applicant as a result of the service-related fault allegedly committed by the defendant's administration — the Court of First Instance (First Chamber), composed of A. Saggio, President, V. Tiili and R. M. Moura Ramos, Judges; H. Jung, Registrar, gave a judgment on 18 December 1997, the operative part of which is as follows:

1. *The application is dismissed.*
2. *Each party shall bear its own costs.*
3. *The applicant shall bear the costs of the expert.*

⁽¹⁾ OJ C 137, 3.6.1995.

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 18 December 1997

in Case T-142/95: *Jean-Louis Delvaux v. Commission of the European Communities* ⁽¹⁾

(Officials — Promotion — Comparative examination of the merits — Staff report — Statement of reasons — Identical career conditions — Discrimination on grounds of nationality)

(98/C 41/42)

(Language of the case: French)

In Case T-142/95: *Jean-Louis Delvaux*, an official of the Commission of the European Communities, residing at Rhode-Saint-Genèse (Belgium), represented by Nicolas Lhoëst, of the Brussels Bar, with an address for service in

Luxembourg care of Jean-Pascal Lange, 40 Rue de la Syre, Uebersyren, v. Commission of the European Communities (Agents: Julian Curall and Denis Waelbroeck) — application, first, for annulment of the two decisions of the Commission published in Administrative Notices Nos 852 of 2 September 1994 and 859 of 8 September 1994, on the ground that the applicant's name was not included in those notices on the list of officials considered the most deserving of promotion to Grade LA 4 in 1994 or on the list of officials actually promoted to grade LA 4 in 1994, second, for annulment of the decision of the Commission of 3 April 1995 rejecting the applicant's complaint and, third, for an order requiring the defendant to pay the sum of Bfrs 100 000 by way of compensation for the non-material damage suffered as a result of the irregularity of the promotion procedure — the Court of First Instance (Fifth Chamber), composed of: R. García-Valdecasas, President, and J. Azizi and M. Jaeger, Judges; J. Palacio González, Administrator, for the Registrar, has given a judgment on 18 December 1997, in which it:

1. *dismisses the action;*
2. *orders the parties to bear their own costs.*

⁽¹⁾ OJ C 248, 23.9.1995.

JUDGMENT OF THE COURT OF FIRST INSTANCE

(First Chamber)

of 18 December 1997

in Case T-222/95: *Antonio Angelini v. Commission of the European Communities* ⁽¹⁾

(Officials — Change of place of employment — Return to the place of original employment — Installation allowance)

(98/C 41/43)

(Language of the case: Italian)

In Case T-222/95: *Antonio Angelini*, an official of the Commission of the European Communities, posted to the Ispra establishment of the Joint Research Centre, represented by Giuseppe Marchesini, Avvocato with the right of audience before the Court of Cassation of the Italian Republic, with an address for service in Luxembourg at the Chambers of Ernest Arendt, 8—10 Rue Mathias Hardt, against Commission of the European Communities (Agent: Gianluigi Valsesia) — application for annulment of the decision of the Commission to refuse to pay to the applicant an installation allowance upon the latter's return to his original place of employment, after a period of employment outwith his institution — the Court