

## COURT OF FIRST INSTANCE

## JUDGMENT OF THE COURT OF FIRST INSTANCE

of 17 December 1997

in Case T-152/95: Odette Nicos Petrides Co. Inc. v.  
Commission of the European Communities <sup>(1)</sup>

*(Common organisation of the market in raw tobacco —  
Management by the Commission — Action for  
compensation — Time bar — Principle of proportionality  
— Principle of equal treatment)*

(98/C 55/46)

*(Language of the case: French)*

In Case T-152/95: Odette Nicos Petrides Co. Inc., established in Kavala (Greece), represented by Edouard Didier and Joël Grangé, of the Paris Bar, with an address for service in Luxembourg at the Chambers of Carlos Zeyen, 67 rue Ermesinde, against Commission of the European Communities (Agent: Gérard Berscheid) — application for an order requiring the Commission to pay damages pursuant to Article 178 and the second paragraph of Article 215 of the EC Treaty as compensation for the damage resulting from certain action taken by it in managing the common organisation of the market in raw tobacco in the period 1990 to 1991 — the Court of First Instance (Fourth Chamber), composed of: K. Lenaerts, President, P. Lindh and J. D. Cooke, Judges; J. Palacio González, Administrator, for the Registrar, has given a judgment on 17 December 1997, in which it:

1. *dismisses the application;*
2. *orders the applicant to pay the costs.*

<sup>(1)</sup> OJ C 268, 14.10.1995.

## JUDGMENT OF THE COURT OF FIRST INSTANCE

of 17 December 1997

in Case T-159/95: Luigia Dricot and Others v.  
Commission of the European Communities <sup>(1)</sup>

*(Officials — Internal competition for advancement from  
Category C to Category B — Decision of the Board failing  
candidates at the oral test — Consistency between  
complaint and application — Principle of equal treatment  
for men and women — Principle of non-discrimination —  
Scope of the obligation to state reasons — Assessment of  
the Board)*

(98/C 55/47)

*(Language of the case: French)*

In Case T-159/95: Luigia Dricot and 29 other applicants,  
officials of the Commission of the European Communities,

represented by Jean-Noël Louis, Thierry Demaseure, Véronique Leclercq 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: Gianluigi Valsesia and Ana Maria Alves Vieira) — application for the annulment of decisions of the Selection Board in internal competition COM/B/9/93, awarding to the applicants, at the oral tests in that competition, a mark below the minimum required by the notice of competition and therefore refusing to include their names on the list of eligible candidates — the Court of First Instance (Fourth Chamber), composed of K. Lenaerts, President, P. Lindh and J. D. Cooke, Judges; A. Mair, administrator, for the Registrar, gave a judgment on 17 December 1997, the operative part of which is as follows:

1. *The application is dismissed.*
2. *The parties shall each bear their own costs.*

<sup>(1)</sup> OJ C 268, 14.10.1995.

## JUDGMENT OF THE COURT OF FIRST INSTANCE

of 17 December 1997

in Case T-110/96: Dominique-François Bareth v.  
Committee of the Regions <sup>(1)</sup>

*(Officials — Internal competition — Refusal to appoint a  
successful candidate — Misuse of power — Principle of  
equal treatment — Obligation to state reasons)*

(98/C 55/48)

*(Language of the case: French)*

In Case T-110/96: Dominique-François Bareth, an official of the Economic and Social Committee of the European Union, residing in Brussels, 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 Committee of the Regions (Agent: Dominique Lagasse) — application for the annulment of the decision of the Committee of the Regions of 20 September 1995 inasmuch as it refuses to appoint the applicant to one of the vacant posts referred to in the notice of internal competition A/02/95 and appoints other successful candidates to those posts — the Court of First Instance (Fourth Chamber), composed of K. Lenaerts, President, P. Lindh and J. D. Cooke, Judges; A. Mair, Administrator, for the Registrar, gave a judgment on 17 December 1997, the operative part of which is as follows: