

COURT OF FIRST INSTANCE

JUDGMENT OF THE COURT OF FIRST INSTANCE

(First Chamber)

of 21 April 2004

in Case T-172/01 M v Court of Justice of the European Communities ⁽¹⁾

(Spouse divorced from a former member of a Community institution, since deceased — Maintenance — Verbal agreement between the former spouses — Law applicable to the formal requirements for the agreement and the admissibility of the means of proving its existence (Article 27 of Annex VIII to the Staff Regulations of the European Communities))

(2004/C 118/75)

(Language of the case: French)

In Case T-172/01, M, resident in Athens (Greece), represented by G. Vandersanden and H. Tagaras, lawyers, against the Court of Justice of the European Communities (Agent: M. Schauss, assisted by T. Papazissi) – application for annulment of the refusal to grant a survivor's pension based on the service of her ex-husband – the Court of First Instance (First Chamber), composed of: A.W.H. Meij, President, and N.J. Forwood and H. Legal, Judges; Registrar: I. Natsinas, gave a judgment on 21 April 2004, in which it:

1. rejected the application; and
2. ordered each party to bear its own costs.

⁽¹⁾ OJ C 317, 10.11.2001

European Communities (Agents: J. Currall and L. Lozano Palacios, assisted by P. Anestis, lawyer) – application for, first, annulment of the refusal of prior authorisation of a surgical procedure and, secondly, reimbursement of the costs of the operation at issue – the Court of First Instance (Fourth Chamber), composed of H. Legal, President, and V. Tiili and M. Vilaras, Judges; I. Natsinas (Administrator), Registrar, has given a judgment on 21 April 2004, in which it:

1. Annuls the decision of 22 May 2001 rejecting the application for prior authorisation submitted by the applicant;
2. Orders the Commission to reimburse the applicant 85 % of the cost of the surgical procedure as set out by the applicant's surgeon in his prescription of 16 May 2001;
3. Orders the parties to determine by agreement the amount to be reimbursed to the applicant for the costs of the operation undergone according to the terms of the prescription and inform the Court of the agreed amount within a period of three months from the delivery of this judgment;
4. Orders the parties, in the absence of agreement, to submit to the Court, within a period of three months from the delivery of this judgment, the figures they propose in respect of the amount to be reimbursed; and
5. Reserves the costs, including those incurred for the purposes of the expert medical report.

⁽¹⁾ OJ C 44 of 16. 2. 2002.

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 31 March 2004

in Case T-10/02, Marie-Claude Girardot v Commission of the European Communities ⁽¹⁾

(Staff case — Article 29(1) of the Staff Regulations — Permanent post remunerated on research and investment credits — Temporary agent within the meaning of Article 2(d) of the CEOS — Rejection of application — No comparative examination of merits — Interim judgment)

(2004/C 118/77)

(Language of the case: French)

In Case T-10/02, Marie-Claude Girardot resident in L'Hay-les-Roses (France), represented by N. Lhoest, lawyer, with an address for service in Luxembourg, v Commission of the European Communities (Agents: F. Clotuche-Cuvieusart and L.

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 21 April 2004

in Case T-313/01: R v Commission of the European Communities ⁽¹⁾

(Officials — Social security — Refusal of prior authorisation of a surgical procedure — Refusal on the ground of the exclusively cosmetic nature attributed by the administration to the operation — Infringement of the provisions of the Community rules)

(2004/C 118/76)

(Language of the case: Greek)

In Case T-313/01: R, a Commission official residing in Brussels, represented by C. Tagaras, lawyer, against Commission of the