

COURT OF FIRST INSTANCE

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 25 May 2004

in Case T-154/01: *Distilleria F. Palma SpA v Commission of the European Communities* ⁽¹⁾

(Regulation (EEC) No 822/87 — Common organisation of the market in wine — Regulation (EEC) No 1780/89 — Regulation (EEC) No 2710/93 — Regulation (EC) No 416/96 — Disposal of alcohol obtained by distillation — Regulation (EEC) No 3390/90 — Sale by tender for use as motor fuel — Refusal by the Commission to amend a number of conditions for the tender — Force majeure — Non-contractual liability of the Community — Admissibility)

(2004/C 190/24)

(Language of the case: Italian)

In Case T-154/01: *Distilleria F. Palma SpA*, in liquidation, established in Naples (Italy), represented by F. Caruso, lawyer, against Commission of the European Communities (Agents: L. Visaggio and C. Cattabriga, acting as Agents, and A. Dal Ferro,) - application under Article 235 EC and the second paragraph of Article 288 EC for compensation for damage allegedly suffered as a result of the Commission's allegedly unlawful conduct arising from the letter of 11 November 1996 sent by the Commission to the Italian authorities - the Court of First Instance (Second Chamber), composed of J. Pirrung, President, A.W.H. Meij and N.J. Forwood, Judges; J. Palacio González, Principal Administrator, for the Registrar, has given a judgment on 25 May 2004 in which it:

1. Dismisses the application as inadmissible;
2. Orders the applicant to bear the costs.

⁽¹⁾ OJ C 259 of 15.9.2001.

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 12 May 2004

in Case T-191/01 *André Hecq v Commission of the European Communities* ⁽¹⁾

(Officials — Social security — Article 72(1) of the Staff Regulations — Reimbursement of medical expenses — Serious illness — Refusal to reimburse certain medical services at 100 %)

(2004/C 190/25)

(Language of the case: French)

In Case T-191/01 *André Hecq*, an official of the Commission of the European Communities, residing in Mondercange (Luxembourg), represented by C. Mourato, lawyer, with an address for service in Luxembourg, against Commission of the European Communities (Agent: J. Currall) - application for annulment of two decisions adopted by the office responsible for the settlement of claims on 13 October 2000 and 6 November 2000 respectively, refusing to reimburse at 100 % certain medical services provided for the applicant's wife - the Court of First Instance, composed of J. Azizi, President, and M. Jaeger and F. Dehousse, Judges; I. Natsinas, Administrator, for the Registrar, has given a judgment on 12 May 2004 the operative part of which is as follows:

1. The decisions adopted by the office responsible for the settlement of claims are annulled in so far as they refuse to reimburse at 100 % certain medical services provided for the applicant's wife;
2. The Commission is ordered to pay the costs.

⁽¹⁾ OJ C 317 of 10.11.2001.