

JUDGMENT OF THE COURT OF FIRST INSTANCE

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 30 June 2005

of 5 July 2005

in Case T-347/03 Eugénio Branco, Lda v Commission of the European Communities ⁽¹⁾

in Case T-370/03 Jacques Wunenburger v Commission of the European Communities ⁽¹⁾

(European Social Fund — Reduction of financial assistance — Subcontracting — Acquired rights — Reasonable time)

(Officials — Post of Director of the Commission EuropeAid Co-operation Office — Vacancy notice — Rejection of candidature — Action for annulment — Legal interest in bringing proceedings — Statement of reasons — Manifest error of assessment)

(2005/C 217/82)

(2005/C 217/83)

(Language of the case: Portuguese)

(Language of the case: French)

In Case T-347/03: Eugénio Branco, Lda, established in Lisbon (Portugal), represented by B. Belchior, lawyer, with an address for service in Luxembourg, against Commission of the European Communities (Agents: initially A. Alves Vieira and A. Weimar and subsequently P. Andrade and A. Weimar, with an address for service in Luxembourg) — application for annulment of Commission Decision C (2002) 3455 of 23 October 2002 reducing financial assistance from the European Social Fund, in Case No 870302 P3 — the Court of First Instance (Fifth Chamber), composed of M. Vilaras, President, F. Dehousse and D. Šváby, Judges; H. Jung, Registrar, gave a judgment on 30 June 2005, in which it:

1. Dismisses the action;
2. Orders the applicant to pay the costs.

⁽¹⁾ OJ C 7, 10.01.2004.

In Case T-370/03: Jacques Wunenburger, official of the Commission of the European Communities, resident in Zagreb (Croatia), represented by É. Boigelot, lawyer, with an address for service in Luxembourg, against Commission of the European Communities (Agents: J. Currall and G. Berscheid with an address for service in Luxembourg) — request for annulment of, firstly, the Commission's decision not to appoint the applicant to the post of Director in the Directorate 'Africa, Caribbean, Pacific' of the EuropeAid Co-operation Office and, secondly, the decision to appoint another person to that post — the Court of First Instance (First Chamber), composed of J. D. Cooke, President, R. García-Valdecasas and I. Labucka, Judges; I. Natsinas, Principal Administrator for the Registrar, gave a judgment on 5 July 2005, in which it:

1. Dismisses the application;
2. Orders the parties to bear their own costs.

⁽¹⁾ OJ C 21 of 24.1.2004