

**Judgment of the Civil Service Tribunal (Second Chamber)  
of 14 December 2006 — Caldarone v Commission**

(Case F-74/05) <sup>(1)</sup>

*(Officials — Appraisal — Career Development Report — 2003 appraisal procedure — Obligation to state reasons for report — Annulment of the report — Claim for damages)*

(2006/C 331/102)

Language of the case: French

**Parties**

*Applicant:* Maurizio Caldarone (Brussels, Belgium) (represented by: S. Rodrigues and A. Jaume, lawyers)

*Defendant:* Commission of the European Communities (represented by: D. Martin and K. Herrmann, Agents)

**Re:**

Annulment of the applicant's Career Development Report for the 2003 appraisal procedure

**Operative part of the judgment**

*The Tribunal:*

1. Annuls the decision adopting Mr Caldarone's Career Development Report for the period from 1 January to 21 August 2003;
2. Dismisses the remainder of the application;
3. Orders the Commission of the European Communities to pay the costs.

<sup>(1)</sup> OJ C 229, 17.9.2005 (case initially registered before the Court of First Instance of the European Communities under number T-293/05 and transferred to the Civil Service Tribunal of the European Communities by order of 15.12.2005).

**Judgment of the Civil Service Tribunal (Second Chamber)  
of 30 November 2006 — Balabanis and Le Dour**

(Case F-77/05) <sup>(1)</sup>

*(Officials — Promotion — Article 45 of the Staff Regulations — Amendment to the Staff Regulations — Temporal application — 2004 promotion procedure — Non-inclusion in the list of officials eligible for promotion — Taking into account the probationary period when calculating the minimum length of service of two years)*

(2006/C 331/103)

Language of the case: French

**Parties**

*Applicants:* Panagiotis Balabanis (Brussels, Belgium), Olivier Le Dour (Brussels, Belgium) (represented by: X. Martin M., S. Orlandi, A. Coolen, J.-N. Louis, E. Marchal, lawyers)

*Defendant:* Commission of the European Communities (represented by: C. Berardis-Kayser and G. Berscheid, Agents)

**Re:**

Annulment of the Commission's decision not to include the applicants' names in the list of officials eligible for promotion in the 2004 procedure and of the decisions not to promote them in that procedure.

**Operative part of the judgment**

*The Tribunal:*

1. Annuls the decision of 14 September 2004 in which the Commission of the European Communities refused to consider Messrs Balabanis and Le Dour eligible for promotion in the 2004 promotion procedure.
2. Annuls the decision of 30 November 2004 in which the Commission of the European Communities did not promote Messrs Balabanis and Le Dour in the 2004 promotion procedure.
3. Orders the Commission of the European Communities to pay the costs.

<sup>(1)</sup> OJ C 271 of 29.10.2005, p. 20 (case initially registered before the Court of First Instance of the European Communities under number T-305/05 and transferred to the Civil Service Tribunal of the European Union by order of 15.12.2005).