

**Judgment of the Civil Service Tribunal (Second Chamber)  
of 1 February 2007 — Tsarnavas v Commission**

(Case F-125/05) <sup>(1)</sup>

*(Officials — Promotion — Consideration of comparative merits of officials in different services — Application for damages — Admissibility — Reasonable period — Lawyers' fees — Pre-litigation procedure — Non-material harm)*

(2007/C 56/76)

Language of the case: French

**Parties**

*Applicant:* Vassilios Tsarnavas (Athens, Greece) (represented by: N. Lhoëst, lawyer)

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

**Re:**

The applicant is seeking, first, annulment of the Commission decisions of 1 April 2005 and 7 October 2005, dismissing its applications for damages in respect of the material and non-material harm suffered under the 1998 and 1999 promotion procedures and, secondly, an order that the defendant is to pay damages valued on an equitable basis at EUR 72 000 in respect of the material and non-material harm suffered.

**Operative part of the judgment**

*The Tribunal:*

1. orders the Commission of the European Communities to pay Mr Tsarnavas EUR 3 000 by way of compensation for the non-material harm;
2. dismisses the remainder of the action;
3. orders the Commission of the European Communities to bear its own costs and to pay one third of the costs incurred by Mr Tsarnavas;
4. orders Mr Tsarnavas to bear two thirds of his own costs.

<sup>(1)</sup> OJ C 60, 11.3.2006, p. 54.

**Judgment of the Civil Service Tribunal of 25 January 2007  
— de Albuquerque v Commission**

(Case F-55/06) <sup>(1)</sup>

*(Officials — Reassignment — Article 7(1) of the Staff Regulations — Manifest error of assessment — Principle of equal treatment — Abuse of power — Interest of the service)*

(2007/C 56/77)

Language of the case: French

**Parties**

*Applicant:* Augusto de Albuquerque (Woluwe-St-Étienne, Belgium) (represented by: C. Mourato, lawyer)

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

**Re:**

Annulment of the decision of the Appointing Authority of 2 February 2006 dismissing the claim brought by the applicant against the decision of 23 September 2005 of the Director-General of DG INFSO to transfer the applicant in the interest of the service as head of unit INFSO.G.2 'Micro and nanosystems'.

**Operative part of the judgment**

*The Court:*

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

<sup>(1)</sup> OJ C 154 of 1.7.2006, p. 28.

**Order of the President of the Civil Service Tribunal of 1  
February 2007 — Bligny v Commission**

(Case F-142/06 R)

*(Interim measures — Application for suspension of operation — Application for provisional measures — Urgency — None)*

(2007/C 56/78)

Language of the case: French

**Parties**

*Applicant:* Francesco Bligny (Tassin-la-Demi-Lune, France) (represented by: P. Lebel-Nourissat, lawyer)

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