



Reports of Cases

Order of the Court (Seventh Chamber) of 28 February 2013 — H-Holding v Commission

(Case C-235/12 P)

(Appeal — Action for failure to act — Article 265 TFEU — Actions for damages — Failure on the part of the Commission to initiate infringement proceedings — Manifest inadmissibility)

Actions for failure to act — Natural or legal persons — Actionable omissions — Failure on the part of the Commission to initiate infringement proceedings — Inadmissibility (Art. 265 TFEU) (see paras 11-12)

Re:

Appeal brought against the order of the General Court (Sixth Chamber) of 2 March 2012 in Case T-594/11 *H-Holding v Commission*, by which the General Court dismissed the action brought by the applicant seeking, first, a declaration that the Commission unlawfully failed to initiate infringement proceedings against the Czech Republic and, second, damages for the harm allegedly suffered by the applicant as a result of that alleged failure on the part of the Commission.

Operative part

1. The appeal is dismissed.
2. H-Holding AG is ordered to pay its own costs.