

Judgment of the General Court of 5 October 2020 — HeidelbergCement and Schwenk Zement v Commission

(Case T-380/17) ⁽¹⁾

(Competition — Concentrations — Market for grey cement in Croatia — Decision declaring the concentration incompatible with the internal market and the EEA Agreement — Undertakings concerned — Relevant market — Substantial part of the internal market — Assessment of the effects of the transaction on competition — Commitments — Rights of the defence — Partial referral to the national authorities)

(2020/C 414/52)

Language of the case: English

Parties

Applicants: HeidelbergCement AG (Heidelberg, Germany) and Schwenk Zement KG (Ulm, Germany) (represented by: U. Denzel, C. von Köckritz, P. Pichler, U. Soltész, M. Raible and G. Wecker, lawyers)

Defendant: European Commission (represented by: A. Dawes, H. Leupold and T. Vecchi, acting as Agents)

Intervener in support of the applicants: Duna-Dráva Cement Kft. (Vác, Hungary) (represented by: C. Bán and Á. Papp, lawyers)

Re:

Application based on Article 263 TFEU seeking annulment of Commission decision C(2017) 1650 final of 5 April 2017 declaring a concentration incompatible with the internal market and the EEA Agreement (Case M.7878 — HeidelbergCement/Schwenk/Cemex Hungary/Cemex Croatia).

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders HeidelbergCement AG and Schwenk Zement KG to bear their own costs and to pay those incurred by the European Commission;
3. Orders Duna-Dráva Cement Kft. to bear its own costs relating to the application to intervene.

⁽¹⁾ OJ C 249, 31.7.2017.

Judgment of the General Court of 23 September 2020 — VE v ESMA

(Cases T-77/18 and T-567/18) ⁽¹⁾

(Civil service — Members of the temporary staff — Contract for an indefinite period — Appraisal report — 2016 appraisal exercise — Plea of illegality relating to the appraisals guide — Manifest error of assessment — Assessment of activities undertaken as staff representative — Procedural irregularity — Termination of the work contract — Insufficient performance during a period of two years)

(2020/C 414/53)

Language of the case: English

Parties

Applicant: VE (represented by L. Levi and N. Flandin, lawyers)