

3. If the response to the first question is in the affirmative, do the requirements of the establishment of a single national regulatory body for the railway sector, pursuant to Article 55(1) of Directive 2012/34; of the functions of a regulatory body pursuant to Article 56(2), (6), (11), and (12) thereof; and of cooperation of regulatory bodies pursuant to Article 57(2) thereof, admit the possibility that the decisions of a regulatory body on the merits of the case can be substituted by judgments of individual courts of general jurisdiction, which are not bound by the regulatory body's findings of fact?

(¹) OJ 2012 L 343, p. 32.

Request for a preliminary ruling from the Obvodní soud pro Prahu 1 (Czech Republic) lodged on 22 March 2021 — České dráhy, a.s.

(Case C-222/21)

(2021/C 242/15)

Language of the case: Czech

Referring court

Obvodní soud pro Prahu 1

Parties to the main proceedings

Applicant: České dráhy, a.s.

Questions referred

1. Does national regulation in Part Five of Zákon č. 99/1963 Sb., občanský soudní řád (Law 99/1963, Code of Civil Procedure) ('the Code of Civil Procedure' or 'CCP') meet the requirements for judicial review of a decision of a regulatory body, pursuant to Article 56(10) of Directive 2012/34/EU (¹) of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area ('Directive 2012/34')?
2. If the response to the first question is in the affirmative, is it in accordance with Article 56(6) of Directive 2012/34 for decisions of the regulatory body to be replaced by judgments of individual courts of general jurisdiction on the merits of the case concerning the level of infrastructure charges in proceedings to which the applicants and the infrastructure manager are parties, but which excludes the regulatory body as a party?
3. If the response to the first question is in the affirmative, do the requirements of the establishment of a single national regulatory body for the railway sector, pursuant to Article 55(1) of Directive 2012/34; of the functions of a regulatory body pursuant to Article 56(2), (11), and (12) thereof; and of cooperation of regulatory bodies pursuant to Article 57(2) thereof, admit the possibility that the decisions of a regulatory body on the merits of the case can be substituted by judgments of individual courts of general jurisdiction, which are not bound by the regulatory body's findings of fact?

(¹) OJ 2012 L 343, p. 32.

Request for a preliminary ruling from the Lietuvos vyriausiasis administracinis teismas (Lithuania) lodged on 9 April 2021 — 'HA.EN.' UAB v Valstybinė mokesčių inspekcija

(Case C-227/21)

(2021/C 242/16)

Language of the case: Lithuanian

Referring court

Lietuvos vyriausiasis administracinis teismas

Parties to the main proceedings

Applicant: 'HA.EN.' UAB

Defendant: Valstybinė mokesčių inspekcija