

Action brought on 20 June 1979 by Daniele Grassi against the Council of the European Communities

(Case 97/79)

An action against the Council of the European Communities was brought before the Court of Justice of the European Communities on 20 June 1979 by Daniele Grassi, represented by Edmond Lebrun of the Brussels Bar, with an address for service in Luxembourg at the Chambers of Tony Biever, 83 Boulevard Grande Duchesse Charlotte.

The applicant claims that the Court should:

1. Declare the application admissible and well founded;
2. Annul the periodic report made by the second assessor dated 2 March 1979 relating to the period from 1 November 1975 to 31 October 1977 and, so far as necessary, the report of the first assessor dated 16 February 1978 for the same period as regards the detailed description of the duties carried out by the applicant during the period under review, the analytical and general assessments of his working relationship to his superiors and colleagues and the general assessment with regard to his attitude to the opinions of others and, more generally, as to the consequences drawn therefrom;
3. Declare that that annulment involves in itself the annulment of the decision taken on the applicant's complaint of 6 June 1978;
4. Order the defendant to pay the costs.

Reference for a preliminary ruling by the Tribunal de Première Instance [Court of First Instance], Liège, by order of that court of 18 June 1979 in the case of Josette Pecastaing v. The Belgian State

(Case 98/79)

Reference has been made to the Court of Justice of the European Communities by an order of the Tribunal de Première Instance, Liège, of 18 June 1979, which was received at the Court Registry on 21 June 1979, for a preliminary ruling in the case of Josette Pecastaing v. The Belgian State on the following questions:

Interpreting Articles 8 and 9 of Directive 64/221/EEC, in its judgment delivered on 8 April 1976 in Case 48/75 Royer [1976] ECR 497, the Court ruled in the fourth paragraph of the operative part of the judgment, on the basis of paragraphs 52 to 62 of the grounds of the decision, that:

‘A decision ordering expulsion cannot be executed, save in cases of urgency which have been properly justified, against a person protected by Community law until the party concerned has been able to exhaust the remedies guaranteed by Articles 8 and 9 of Directive 64/221/EEC’.