

Re:

Suspension of the operation, first, of the Commission's decision contained in its letter of 5 October 2005 to offset debts to the detriment of the applicant; secondly, of the Commission's decision contained in its letter of 30 August 2005 and, thirdly, of the debit note of 23 August 2005, No 3240705638.

Operative part

The Court:

1. Dismisses the application for interim measures;
2. Reserves the costs.

**Order of the Court of First Instance (Fifth Chamber) of 13 January 2006 —
Komninou and Others v Commission**

(Case T-42/04)

Action for damages — Non-contractual liability — Decision to take no further action on a complaint putting in issue a Member State's conduct capable of giving rise to proceedings for failure to fulfil obligations — Treatment of the complaint by the Commission — Principle of sound administration

1. *Non-contractual liability — Conditions — Unlawfulness — Damage — Causal link — One of the conditions not present (Art. 288, second para., EC) (see para. 31)*
2. *Non-contractual liability — Conditions — Sufficiently serious breach of a rule of law intended to confer rights on individuals (Art. 288, second para., EC) (see paras 32, 33)*

3. *Community law — Principles — Protection of legitimate expectations — Conditions (see para. 39)*

Re:

Application for compensation for the non-material damage allegedly suffered by the applicants because of the Commission's conduct in the treatment of their complaint concerning alleged infringements by the Hellenic Republic of Community environmental law.

Operative part

The Court:

1. Dismisses the action;
2. Orders the applicants to bear their own costs and to pay those incurred by the Commission.

**Order of the Court of First Instance (Second Chamber) of 13 January 2006 —
Dimos Ano Liosion and Others v Commission**

(Case T-85/05)

Inadmissibility — Persons not the addressees of Community measures —
Direct concern

1. *Actions for annulment — Natural or legal persons — Measures of direct and individual concern to them (Art. 230, fourth para., EC) (see para. 28)*
2. *Actions for annulment — Natural or legal persons — Measures of direct and individual concern to them (Art. 230, fourth para., EC) (see para. 30)*