

Appeal brought on 2 February 2006 by Elisabetta Righini against the judgment of the Court of First Instance (Fifth Chamber) of 15 November 2005 in Case T-145/04 Elisabetta Righini v Commission of the European Communities

(Case C-57/06 P)

(2006/C 74/20)

(Language of the case: French)

An appeal against the judgment of the Court of First Instance (Fifth Chamber) of 15 November 2005 in Case T-145/04 Elisabetta Righini v Commission of the European Communities was brought before the Court of Justice of the European Communities on 2 February 2006 by Elisabetta Righini, represented by Eric Boigelot, avocat.

The applicant claims that the Court should:

- (1) declare the appeal admissible and well founded and, consequently
- (2) annul the judgment of the Court of First Instance of the European Communities in Case T-145/04 *Righini v Commission* delivered on 15 November 2005,
- (3) itself give judgment in the case and, upholding the appellant's initial application in Case T-145/04:
 - annul the Commission's decisions to classify the appellant on her entry into service in Grade A*8/3 (ex A7/3), whether as a member of the temporary staff or as a probationary official, which were notified to her on 27 May 2003 and 30 June 2003;
 - annul the express decision of 21 January 2004, notified on 23 January 2004, rejecting the appellant's complaint registered on 14 August 2003 under the reference R/485/03;
 - in any event, order the respondent to pay the costs.

Pleas in law and main arguments

The pleas in law of the appeal, pursuant to Article 58 of the Statute of the Court of Justice, allege a breach of Community law and procedural irregularities before the Court of First Instance infringing the appellant's interests.

The appellant challenges the judgment under appeal in so far as it rejects the plea alleging infringement of Article 31(2) of the Staff Regulations, the 1983 decision, the administrative

guide and a manifest error of assessment and is, in that regard, flawed by errors of law, by an erroneous and inconsistent statement of reasons and a distortion of the evidence in the file.

Action brought on 6 February 2006 by the Commission of the European Communities against the Hellenic Republic

(Case C-68/06)

(2006/C 74/21)

(Language of the case: Greek)

An action against the Hellenic Republic was brought before the Court of Justice of the European Communities on 6 February 2006 by the Commission of the European Communities, represented by Minas Konstantinidis, of its Legal Service, and Florence Simonetti, a national expert, with an address for service in Luxembourg.

The Commission claims that the Court should:

1. declare that, by not adopting, and in any event by not notifying to the Commission, the laws, regulations and administrative provisions necessary to comply with Directive 2001/42/EC ⁽¹⁾ of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment, the Hellenic Republic has failed to fulfil its obligations under that directive;
2. order the Hellenic Republic to pay the costs.

Pleas in law and main arguments

The time-limit for transposition of the directive into domestic law expired on 21 July 2004.

⁽¹⁾ OJ L 197, 21.7.2001, p. 30.