

In support of his action, the applicant puts forward a first plea in law alleging breach of Article 31(2) of the Staff Regulations, a manifest error of assessment and an error of law, in that the criteria established in the case-law relating to the exceptional nature of his qualifications and the specific needs of the service were not applied. Next, the applicant puts forward a second plea in law alleging breach of the obligation to state reasons and a third plea in law alleging failure to observe the principle of equal treatment, in that 10 to 15 of his colleagues, whose legal and factual situations are not essentially different from the applicant's, were, unlike the applicant, classified or reclassified in grade A6.

(<sup>1</sup>) OJEC C 125/A, 23.4.1998, p. 10.

**Action brought on 22 September 2006 — Krčová v Court of Justice**

(Case F-112/06)

(2006/C 281/87)

*Language of the case: French*

**Parties**

*Applicant:* Erika Krčová (Trnava, Slovakia) (represented by: S. Orlandi, A. Coolen, J.-N. Louis and E. Marchal, lawyers)

*Defendant:* Court of Justice of the European Communities

**Form of order sought**

The applicant claims that the Tribunal should:

- annul the Court of Justice's decision of 18 October 2005 to dismiss the applicant at the end of her probationary period and, in so far as necessary, the Court of Justice's decisions of 16 September 2005, extending her probationary period for two months from the preceding 1 August, and of 12 September 2005, establishing a probation report recommending the applicant's dismissal;
- order the defendant to pay the costs.

**Pleas in law and main arguments**

In support of her action, the applicant invokes three pleas in law, the first of which alleges breach of Article 34 of the Staff Regulations, breach of the duty to have regard for the welfare of officials, manifest error of assessment, failure to state the grounds and breach of essential procedural requirements. In

particular, the appointing authority, in adopting the contested decisions, failed to comply with the time-limits laid down in Article 34 of the Staff Regulations and failed, among other things, to ensure that the conditions of the applicant's probationary period were proper.

The second plea in law alleges misuse of powers and abuse of process by the Complaints Committee of the Court of Justice.

The third plea in law alleges breach of the principles of sound administration and good management and interference with the rights of the defence.

**Action brought on 29 September 2006 — Bouis and Others v Commission**

(Case F-113/06)

(2006/C 281/88)

*Language of the case: French*

**Parties**

*Applicants:* Didier Bouis (Overijse, Belgium) and Others (represented by: S. Orlandi, A. Coolen, J.-N. Louis and E. Marchal, lawyers)

*Defendant:* Commission of the European Communities

**Form of order sought**

- declare that Article 13 of the General Provisions for implementing Article 45 of the Staff Regulations (GPI) is unlawful;
- annul the merit list and the list of officials promoted to grade A\*13 in the 2005 promotion procedure, in so far as the applicants' names are not included;
- annul the decisions to award transitional priority points to the applicants, in that these points are limited to one point per year of seniority in grade up to a maximum of 7 points without taking into account the real merits of the applicants;
- annul the decisions to award to the applicants neither the priority points awarded by the Directors and Directors-General, nor the priority points awarded by the Promotion Committee, in particular in recognition of work undertaken in the interest of the institution in the 2003 and 2004 promotion procedures;
- order the defendant to pay the costs.