

Pleas in law and main arguments

The applicant concluded an agreement with the Commission intended to bring to an end by amicable settlement the dispute brought before the Court of First Instance of the European Communities in Case T-155/05 ⁽¹⁾.

The applicant alleges that the Commission failed to give full effect to the terms of the agreement.

In support of his action, he alleges in particular breach by the Commission of the principle of legality, the principle of *pacta sunt servanda*, the principle of the protection of legitimate expectations, the duty to have regard to the welfare of officials and the principle of sound administration.

⁽¹⁾ OJ C 155, 25.06.2006, p. 26.

Action brought on 29 November 2006 — Bordini v Commission

(Case F-134/06)

(2006/C 326/175)

Language of the case: French

Parties

Applicant: Giovanni Bordini (Dover, United Kingdom) (represented by: L. Levi, C. Ronzi and I. Perego, lawyers)

Defendant: Commission of the European Communities

Forms of order sought

- annul the decision of 25 January 2006 by which the appointing authority refused to recognise that the applicant was resident in the United Kingdom and, in consequence, refused to apply the weighting for the United Kingdom to his pension;
- order the defendant to pay interest — on the basis of a rate two points higher than the rate fixed by the European Central Bank, and applicable during the period concerned, for major refinancing operations — on the amounts payable

by virtue of retroactive application of the United Kingdom weighting to the applicant's pension with effect from 1 April 2004;

- order the defendant to pay the costs.

Pleas in law and main arguments

In support of his application, the applicant argues, first, that the contested decision is contrary to the principle of the obligation to state reasons, in so far as it is framed in terms so vague that it is not possible to understand the underlying reasoning.

The applicant additionally invokes infringement of Article 82 of the former Staff Regulations and Article 20 of Annex XIII to the new Staff Regulations; a manifest error of assessment of the facts giving rise to an error in law; breach of the principle of proportionality; and failure to respect the right to privacy.

Lastly, the applicant submits that the Commission was in breach of the duty to have regard for the welfare of officials and of the principle of sound administration.

Action brought on 27 November 2006 — Lafleur-Tighe v Commission

(Case F-135/06)

(2006/C 326/176)

Language of the case: French

Parties

Applicant: Virgine Lafleur-Tighe (Makati, Philippines) (represented by: S. Rodrigues and C. Bernard-Glanz, lawyers)

Defendant: Commission

Form of order sought

- annul the decision of the appointing authority placing the applicant in grade 13, step 1, on the date of her recruitment as a contractual agent, in so far as that decision is to be inferred from the contract of employment signed on 22 December 2005;