

Action brought on 3 January 2007 — Chassagne v Commission**(Case F-1/07)**

(2007/C 42/86)

*Language of the case: French***Parties**

Applicant: Olivier Chassagne (Brussels, Belgium) (represented by: Y. Minatchy, lawyer)

Defendant: Commission of the European Communities

Form of order sought

- annul the decision of the Commission of 17 November 2006 making definitive the list of agents promoted and the measures following therefrom affecting the applicant;
- order all measures necessary to the maintenance of the rights and interests of the applicant;
- order the defendant to pay damages and interest in the sum of EUR 160 184;

- order the defendant to pay the costs.

Pleas in law and main arguments

The applicant challenges the decision of the Commission not to include his name in the list of officials promoted for the 2006 promotion year on the ground that for that year he has not been able to obtain either a staff report — the assessment procedure regarding him was still pending at the date of the contested decision — or promotion points.

The action is brought principally on the basis of the fact that the Appointing Authority excluded the applicant from the 2006 reporting and assessment exercise, thus causing harmful delay to the progress of his career.

The applicant takes the view that the contested decision: (i) infringes a number of general principles of Community law, in particular the protection of the rights of the defence, the obligation to state reasons, the prohibition of manifest errors of assessment, the protection of legitimate expectations, legal certainty and equal treatment; (ii) wrongly applies a number of provisions of Community law, inter alia Articles 43 and 45 of the Staff Regulations and the general implementing provisions which the Commission has adopted for their application.