

Action brought on 17 August 2007 — Islamaj v Commission**(Case F-84/07)**

(2007/C 235/61)

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

Applicant: Agim Islamaj (Grimbergen, Belgium) (represented by: S. Orlandi, J.-N. Louis, A. Coolen and E. Marchal, lawyers)

Defendant: Commission of the European Communities

Form of order sought

- declare unlawful Article 2 of the Commission decision on detailed rules governing the promotion procedure for officials paid from research appropriations in the general budget (in both the version of 16 June 2004 and that of 20 July 2005);
- annul the Commission decision to cancel the 38.5 points from the applicant's accrued promotion points which he had accumulated as a member of the temporary staff;
- annul the Commission decision not to promote the applicant to grade AST 5 in the 2006 promotion exercise and, in

so far as it is necessary, that dismissing his appeal to the Promotion Committee for the purpose of reconstituting his accrued promotion points;

- order the defendant to pay the costs.

Pleas in law and main arguments

The applicant, who started working at the Commission on 1 May 2000 as a member of the temporary staff and who was posted to the Joint Research Centre, Ispra (Italy), was appointed an official in that centre with effect from 16 April 2004. On 16 April 2005, he was transferred to DG Trade. By letter of 16 June 2006, he was informed that the points which he had accrued as a member of the temporary staff had been cancelled, pursuant to the first contested decision, because he had effected a transfer to a post coming under the 'administration' part of the general budget before a period of two years had expired from his recruitment as a probationary official in respect of a post coming under the 'research' part of that budget.

In support of his action, the applicant relies on very similar pleas in law to those relied on in Case F-33/07 ⁽¹⁾.

⁽¹⁾ OJ C 129, 9.6.2007, p. 26.