

**Judgment of the Civil Service Tribunal (Second Chamber)
of 22 November 2007 — Dittert v Commission**

(Case F-109/06) ⁽¹⁾

(Civil service — Officials — Promotion — Priority points — Incomplete personal file — Omission of priority points from the computer promotion file known as ‘Sysper 2’ — Technical problem — A Promotion Committee — Allocation of a lower number of points than had been proposed by the applicant’s superiors)*

(2008/C 8/54)

Language of the case: French

Parties

Applicant: Daniel Dittert (Luxembourg, Luxembourg) (represented by: B. Cortese and C. Cortese, lawyers)

Defendant: Commission of the European Communities (represented by: G. Berscheid and K. Herrmann, Agents)

Re:

Annulment of the Appointing Authority’s decision to allocate to the applicant, an official of the Commission who had been omitted in error from the promotion list in his Directorate-General, fewer priority points than the latter wished to give him and which were insufficient to allow his promotion in the 2005 exercise.

Operative part of the judgment

The Tribunal:

1. Annuls the decision of the Commission of the European Communities allocating to Mr Dittert an insufficient number of points to allow his promotion in the 2005 exercise;
2. Annuls the decision of the Commission of the European Communities fixing the list of officials promoted in the 2005 exercise, published in *Informations Administratives* No 85-2005 of 23 November 2005, in so far as it does not contain Mr Dittert’s name;
3. Orders the Commission of the European Communities to bear its own costs and to pay those of Mr Dittert.

⁽¹⁾ OJ C 281 of 18.11.2006, p 47.

**Judgment of the Civil Service Tribunal (Second Chamber)
of 22 November 2007 — Carpi Badía v Commission**

(Case F-110/06) ⁽¹⁾

(Civil service — Officials — Promotion — Priority points — Incomplete personal file — Omission of priority points from the computer promotion file known as ‘Sysper 2’ — Technical problem — A Promotion Committee — Allocation of a lower number of points than had been proposed by the applicant’s superiors)*

(2008/C 8/55)

Language of the case: French

Parties

Applicant: José María Carpi Badía (Luxembourg, Luxembourg) (represented by: B. Cortese and C. Cortese, lawyers)

Defendant: Commission of the European Communities (represented by: G. Berscheid and K. Herrmann)

Re:

Annulment of the Appointing Authority’s decision to allocate to the applicant, an official of the Commission who had been omitted in error from the promotion list in his Directorate-General, fewer priority points than the latter wished to give him and which were insufficient to allow his promotion in the 2005 exercise.

Operative part of the judgment

The Tribunal:

1. Annuls the decision of the Commission of the European Communities allocating to Mr Carpi Badía an insufficient number of points to allow his promotion in the 2005 exercise;
2. Annuls the decision of the Commission of the European Communities fixing the list of officials promoted in the 2005 exercise, published in *Informations Administratives* No 85-2005 of 23 November 2005, in so far as it does not contain Mr Carpi Badía’s name;
3. Orders the Commission of the European Communities to bear its own costs and to pay those of Mr Carpi Badía.

⁽¹⁾ OJ C 281 of 18.11.2006, p 48.