

EUROPEAN UNION CIVIL SERVICE TRIBUNAL

**Judgment of the Civil Service Tribunal (Third Chamber) of
31 January 2008 — Buendía Sierra v Commission**

(Case F-97/05) ⁽¹⁾

*(Staff cases — Officials — Promotion — 2004 Promotion
procedure — Award of priority points — Temporal application
of provisions of the new Staff Regulations)*

(2008/C 116/55)

Language of the case: French

Parties

Applicant: José Luis Buendía Sierra (Brussels, Belgium) (represented by: M. van der Woude and V. Landes, lawyers)

Defendant: Commission of the European Communities (represented by: G. Berscheid and V. Joris, Agents, assisted by D. Slater, lawyer)

Re:

First, annulment of the decisions awarding priority points to the applicant in the 2004 Promotion procedure and, secondly, annulment of the merit list of officials in Grade A*11 promoted to Grade A*12 in the 2004 Promotion procedure

Operative part of the judgment

The Tribunal:

1. *annuls the decision fixing Mr Buendía Sierra's total number of points at the end of the 2004 Promotion procedure and the decision not to promote him in that procedure;*
2. *dismisses the remainder of the claims in the action;*
3. *orders the Commission of the European Communities to pay all the costs.*

⁽¹⁾ OJ C 10, 14.1.2006, p. 24 (case initially registered before the Court of First Instance of the European Communities under No T-380/05 and transferred to the European Civil Service Tribunal by order of 15 December 2005).

**Judgment of the Civil Service Tribunal (Third Chamber) of
31 January 2008 — Di Bucci v Commission**

(Case F-98/05) ⁽¹⁾

*(Officials — Staff cases — Promotion — 2004 promotion
exercise — Allocation of priority points — Application
ratione temporis of provisions of the new staff regulations)*

(2008/C 116/56)

Language of the case: French

Parties

Applicant: Vittorio Di Bucci (Brussels, Belgium) (represented by: M. van der Woude and V. Landes, lawyers)

Defendant: Commission of the European Communities (represented by: G. Berscheid and V. Joris, agents, and D. Slater, lawyer)

Re:

First, annulment of the decisions awarding promotion points to the applicant in respect of the 2004 promotion exercise and, second, annulment of the merit list of Grade A*11 officials promoted to Grade A*12 in the 2004 promotion exercise

Operative part of the judgment

The Tribunal:

1. *Annuls the decision fixing the total of Mr Di Bucci's promotion points in the 2004 promotion exercise and the decision refusing him promotion in that exercise.*
2. *Dismisses the remainder of the action.*
3. *Orders the Commission of the European Communities to pay the costs.*

⁽¹⁾ OJ C 10, 14.1.2006, p. 24 (Case originally registered at the Court of First Instance of the European Communities under T-381/05 and transferred to the European Union Civil Service Tribunal by order of 15 December 2005).