

**Judgment of the Civil Service Tribunal (Third Chamber) of  
22 October 2008 — Tzirani v Commission**

(Case F-46/07) <sup>(1)</sup>

*(Staff cases — Officials — Recruitment — Appointment in grade — Promotion — Post of director — Rejection of candidature — Implementation of a judgment annulling an appointment decision — Admissibility)*

(2008/C 313/102)

Language of the case: French

**Parties**

*Applicant:* Marie Tzirani (Brussels, Belgium) (represented by: É. Boigelot, lawyer)

*Defendant:* Commission of the European Communities (represented by: G. Berscheid and V. Joris, agents, assisted by B. Wägenbauer, lawyer)

**Re:**

First, annulment of the decision adopted by the Commission of the European Communities on 30 August 2006 to appoint Mr D. J. to the post of Director of Directorate B 'Staff Regulations: Policy, Management and Advisory Services' of the Directorate-General (DG) 'Personnel and Administration' and consequently to reject the applicant's candidature for that post; and, secondly, an order that the Commission is to pay compensation for the material and non-material damage allegedly suffered.

**Operative part of the judgment**

*The Tribunal:*

1. annuls the decision of the Commission of the European Communities rejecting the candidature of Mrs Tzirani for the post of Director of Directorate B 'Staff Regulations: Policy, Management and Advisory Services' of the Directorate-General (DG) 'Personnel and Administration';
2. annuls the decision of the Commission of the European Communities, dated 30 August 2006, appointing Mr D. J. to the post of Director of Directorate B 'Staff Regulations: Policy, Management and Advisory Services' of the Directorate-General (DG) 'Personnel and Administration';
3. orders the Commission of the European Communities to pay Mrs Tzirani EUR 10 000 damages;
4. for the rest, dismisses the action;
5. orders the Commission of the European Communities to bear their own costs and to pay Mrs Tzirani's costs.

<sup>(1)</sup> OJ C 170 of 21.7.2007, p. 42.

**Judgment of the Civil Service Tribunal (Second Chamber) of 11 September 2008 — Bui Van v Commission**

(Case F-51/07) <sup>(1)</sup>

*(Staff case — Officials — Recruitment — Classification in grade and step — Improper classification — Withdrawal of a measure vitiated by illegality — Legitimate expectations — Reasonable time-limit — Rights of the defence — Right to sound administration)*

(2008/C 313/103)

Language of the case: French

**Parties**

*Applicant:* Philippe Bui Van (Hettange-Grande, France) (represented by: S. Rodrigues and R. Albelice, lawyers)

*Defendant:* Commission of the European Communities (represented by: J. Currall and G. Berscheid, Agents)

**Re:**

First, annulment of the decision of the Director General of the Commission's Joint Research Centre of 4 October 2006 in so far as it reclassifies the applicant in Grade AST 3, whereas he was initially classified in Grade AST 4 and, secondly, an application for damages.

**Operative part of the judgment**

*The Tribunal:*

1. Orders the Commission of the European Communities to pay Mr Bui Van the sum of EUR 1 500 by way of damages;
2. Dismisses the action as to the remainder;
3. Orders Mr Bui Van to pay two thirds of his costs;
4. Orders the Commission of the European Communities to pay its own costs and one third of the costs incurred by Mr Bui Van.

<sup>(1)</sup> OJ C 170, 21.7.2007, p. 43.