

## EUROPEAN UNION CIVIL SERVICE TRIBUNAL

**Judgment of the Civil Service Tribunal (First Chamber) of  
4 November 2008 — Marcuccio v Commission**

(Case F-41/06) <sup>(1)</sup>

*(Staff cases — Officials — Social security — Insurance  
against the risk of accident and occupational disease — Inva-  
lidity — Retirement on the ground of invalidity — Statement  
of reasons — Annulment)*

(2009/C 6/88)

*Language of the case: Italian*

### Parties

*Applicant:* Luigi Marcuccio (Tricase, Italy) (represented by:  
L. Garofalo, lawyer)

*Defendant:* Commission of the European Communities (repre-  
sented by: J. Currall and C. Berardis-Kayser, acting as Agents,  
assisted by A. Dal Ferro, lawyer)

### Re:

First, action for annulment of the Commission decision by  
which the applicant was retired on grounds of invalidity and of  
a series of measures connected to that decision and, secondly, a  
claim for damages

### Operative part of the judgment

*The Tribunal:*

1. *annuls the decision of the Commission of the European Commu-  
nities of 30 May 2005 by which Mr Marcuccio was retired on  
grounds of invalidity;*
2. *orders the Commission of the European Communities to pay Mr  
Marcuccio the sum of EUR 3 000;*
3. *dismisses the action as to the remainder;*
4. *orders the Commission of the European Communities to pay two  
thirds of Mr Marcuccio's costs as well as to bear its own costs;*
5. *orders Mr Marcuccio to bear one third of his own costs.*

<sup>(1)</sup> OJ C 131, 3.6.2006, p. 54.

**Judgment of the Civil Service Tribunal (First Chamber) of  
25 November 2008 — Pierre Bosman v Council of the  
European Union**

(Case F-145/07) <sup>(1)</sup>

*(Staff case — Former member of the contract staff — Retire-  
ment pension — Household allowance — Article 109(3) of  
the CEOS)*

(2009/C 6/89)

*Language of the case: French*

### Parties

*Applicant:* Pierre Bosman (Lebbeke, Belgium) (represented by:  
T. Bontinck and P. Gennari Curlo, lawyers)

*Defendant:* Council of the European Union (represented by:  
M. Bauer and I. Šulce, Agents)

### Re:

Annulment of the decision relating to an individual of  
28 February 2007 refusing the household allowance for the  
purposes of the calculation of retirement pension rights, on the  
basis of Article 109(3) of the Conditions of Employment of  
Other Servants of the European Communities.

### Operative part of the judgment

*The Tribunal:*

1. *Dismisses the action;*
2. *Orders Mr Bosman to pay all the costs, that is to bear his own  
costs and to pay those of the Council of the European Union.*

<sup>(1)</sup> OJ C 79, 29.3.2008, p. 38.