

EUROPEAN UNION CIVIL SERVICE TRIBUNAL

**Judgment of the Civil Service Tribunal (Second Chamber)
of 11 December 2008 — Schell v Commission**

(Case F-83/06) ⁽¹⁾

*(Staff case — Officials — Promotion — Priority points —
General implementing provisions for Article 45 of the Staff
Regulations)*

(2009/C 32/95)

Language of the case: French

Parties

Applicant: Arno Schell (Brussels, Belgium) (represented by: F. Frabetti, lawyer)

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

Re:

Staff case — Annulment, primarily, of the lists of officials promoted in the 2004 and 2005 promotion years, in so far as those lists do not contain the applicant's name and, in the alternative, of the allocation of promotion points in those years in so far as the applicant is concerned

Operative part of the judgment

The Tribunal:

1. *Dismisses the action;*
2. *Orders each party to bear its own costs.*

⁽¹⁾ OJ C 237, 30.9.2006, p. 18.

**Judgment of the Civil Service Tribunal (Second Chamber)
of 11 December 2008 — Bouis and Others v Commission**

(Case F-113/06) ⁽¹⁾

*(Staff case — Officials — 'Second round' promotion — 2005
promotion procedure — Award of priority points — Transi-
tional provisions — General implementing provisions for
Article 45 of the Staff Regulations — Equal treatment —
Admissibility)*

(2009/C 32/96)

Language of the case: French

Parties

Applicants: Didier Bouis (Overijse, Belgium) and Others (represented by: S. Orlandi, A. Coolen, J.-N. Louis and É. Marchal, lawyers)

Defendant: Commission of the European Communities (represented by: V. Joris and D. Martin, Agents)

Re:

Staff case — First, annulment of the decision of the Commission not to include the applicants either on the merit list or on the list of those promoted to grade A*13 in the 2005 promotion procedure; second, annulment of the decisions to award the applicants transitional priority points inasmuch as these points are limited to one point per year of seniority in grade; third, annulment of the decisions not to award any other priority points to the applicants.

Operative part of the judgment

The Tribunal:

1. *Dismisses the action;*
2. *Orders each party to bear its own costs.*

⁽¹⁾ OJ C 281, 18.11.2006, p. 49.