

EUROPEAN UNION CIVIL SERVICE TRIBUNAL

Action brought on 11 January 2011 — Marcuccio v Commission

(Case F-3/11)

(2011/C 113/45)

Language of the case: Italian

Parties

Applicant: Luigi Marcuccio (Tricase, Italy) (represented by: G. Cipressa, lawyer)

Defendant: European Commission

Subject-matter and description of the proceedings

Annulment of the implied decision rejecting the applicant's request of 15 March 2010 and a claim for compensation for the damage suffered.

Form of order sought

- Annul the decision, whatever its form, which brought about the rejection by the Commission of the request of 15 March 2010 sent by the applicant to the appointing authority of the Commission;
- in so far as is necessary, annul the Commission's rejection of the complaint of 5 August 2010;
- in so far as is necessary, annul the note of 24 August 2010, written in Italian, which was not received by the applicant before 1 October 2010;
- order the Commission to make reparation for the damage unjustly suffered by the applicant as a result of each of the decisions in respect of which annulment is sought, in particular as a result of the cumulative effect of those decisions, by paying to the applicant the sum of EUR 1 000, or such greater or lesser sum as the Tribunal may consider fair and just;
- order the Commission to pay the costs.

Action brought on 13 February 2011 — Hecq v Commission

(Case F-12/11)

(2011/C 113/46)

Language of the case: French

Parties

Applicant: André Hecq (Chaumont-Gistoux, Belgium) (represented by: L. Vogel, lawyer)

Defendant: European Commission

Subject-matter and description of the proceedings

Action for annulment of the implicit decision rejecting the applicant's request to resume his professional activities as well as for full payment of his remuneration as an official, calculated from 1 August 2003, and for damages, all of those amounts to bear default interest at 7 % per annum from 1 August 2003.

Form of order sought

- Annul the decision adopted by the appointing authority on 29 October 2010 by which it rejected a complaint brought by the applicant on 6 July 2010 against an implicit decision deemed to have been adopted on 15 April 2010 which rejected a request submitted by the applicant on 15 December 2009 with a view to resuming his professional activities as well as for full payment of his remuneration as an official, calculated from 1 August 2003, and for damages, all of those amounts to bear default interest at 7 % per annum from 1 August 2003;
- annul, as far as is necessary, the implicit decision which the appointing authority is deemed to have adopted on 15 April 2010 in so far as it rejected the abovementioned request submitted by the applicant on 15 December 2009;
- order the Commission to pay the applicant an amount by way of damages corresponding to the remuneration as an official of which he was unjustly deprived from 1 August 2003, primarily and secondarily, plus an amount of EUR 50 000, all of those amounts to bear default interest at 7 % per annum from 1 August 2003;
- order the European Commission to pay the costs.