

Operative part of the judgment

The Tribunal:

1. Dismisses the action;
2. Orders AI to bear her own costs and to pay those incurred by the Court of Justice of the European Union.

(¹) OJ C 13, 15.1.2011, p. 39.

Judgment of the Civil Service Tribunal (First Chamber) of 11 December 2012 — Cocchi and Falcione v Commission

(Case F-122/10) (¹)

(Civil service — Officials — Pension — Transfer of pension rights acquired under a national pension — Withdrawal of a transfer proposal — Measure not having conferred subjective rights or other similar benefits)

(2013/C 46/49)

Language of the case: French

Parties

Applicants: Giorgio Cocchi (Wezembeek-Oppem, Belgium) and Nicola Falcione (Brussels, Belgium) (represented by: S. Orlandi and J.-N. Louis, lawyers)

Defendant: European Commission (represented by: D. Martin and J. Baquero Cruz, acting as Agents)

Re:

Civil service — Annulment of the decision to withdraw a proposal relating to transfer of the applicants' pension rights when already accepted by them

Operative part of the judgment

The Tribunal:

1. The European Commission's decisions of 12 and 23 February 2010 are annulled in so far as they withdraw the proposals put to Mr Cocchi and Mr Falcione indicating the result in additional pension annuities to be generated by a potential transfer of rights;
2. Dismisses the action as to the remainder;
3. Order the European Commission to bear its own costs and to pay one-third of those incurred by Mr Cocchi and Mr Falcione;
4. Orders Mr Cocchi and Mr Falcione to bear two-thirds of their costs.

(¹) OJ C 63, 26.2.11, p. 34.

Judgment of the Civil Service Tribunal (First Chamber) of 20 November 2012 — Soukup v Commission

(Case F-1/11) (¹)

(Civil service — Open competition — Non-inclusion on the reserve list — Evaluation of the oral test)

(2013/C 46/50)

Language of the case: French

Parties

Applicant: Zdenek Soukup (Luxembourg, Luxembourg) (represented: initially by É. Boigelot and S. Woog, lawyers, and subsequently by É. Boigelot, lawyer)

Defendant: European Commission (represented: initially by B. Eggers and P. Pecho, acting as Agents, and subsequently by B. Eggers, acting as Agent)

Re:

Civil service — Application for annulment of the decision of the selection board of Open Competition EPSO/AD/144/09 not to enter the applicant on the reserve list and the decision to enter another candidate on that list, and compensation for the material and non-material damage thereby suffered.

Operative part of the judgment

The Tribunal:

1. Dismisses the action;
2. Orders Mr Soukup to bear his own costs and to pay those incurred by the European Commission.

(¹) OJ C 72, 5.3.2011, p. 36.

Judgment of the Civil Service Tribunal (Second Chamber) of 13 December 2012 — AX v ECB

(Joined Cases F-7/11 and F-60/11) (¹)

(Civil service — ECB Staff — Disciplinary proceedings — Suspension of a staff member without reduction of his basic salary — Withdrawal of a decision — Rights of the defence — Access to the file — Statement of reasons — Reasons for a decision — Allegation of breach of professional duties — Serious misconduct)

(2013/C 46/51)

Language of the case: English

Parties

Applicant: AX (represented by: L. Levi and M. Vandebussche, lawyers)