

## EUROPEAN UNION CIVIL SERVICE TRIBUNAL

### Judgment of the Civil Service Tribunal (3rd Chamber) of 12 March 2014 — CR v Parliament

(Case F-128/12) <sup>(1)</sup>

*(Civil service — Remuneration — Family allowances — Dependent child allowance — Recovery of overpayments — Intention to mislead the administration — Evidence — Not possible to rely against the administration upon the five year time-limit for bringing the application for recovery of the overpayments — Plea of illegality — Pre-litigation procedure — Requirement of consistency between the complaint and the action — Plea of illegality raised for the first time in the action — Admissibility)*

(2014/C 129/43)

Language of the case: French

#### Parties

*Applicant:* CR (represented by: A. Salerno and B. Cortese, lawyers)

*Defendant:* European Parliament (represented by: V. Montebelle-Demogeot and E. Taneva, Agents)

*Intervener in support of the defendant:* Council of the European Union (represented by: M. Bauer and A. Bisch, Agents)

#### Re:

Application to annul the decision to recover, under Article 85(2) of the Staff Regulations, all of the dependent child allowance overpaid to the applicant and not only that overpaid to him during the last five years.

#### Operative part of the judgment

*The Tribunal:*

1. *Dismisses the action;*
2. *Orders CR to bear his own costs and to pay the costs incurred by the European Parliament;*
3. *Orders the Council of the European Union, as the intervener, to bear its own costs.*

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<sup>(1)</sup> OJ C 26, 26.1.2013, p. 73.

### Order of the Civil Service Tribunal (3rd Chamber) of 5 March 2014 — DC v Europol

(Case F-77/13) <sup>(1)</sup>

*(Civil service — Europol staff — Invalidity — Invalidity allowance — Calculation of interest — Application for damages — Manifest inadmissibility)*

(2014/C 129/44)

Language of the case: Dutch

#### Parties

*Applicant:* DC (represented by: W. Brouwer, lawyer)

*Defendant:* European Police Office (Europol) (represented by: D.C. Neumann and J. Arnould, Agents)

#### Re:

Application to annul the decision fixing the interest payable on the sum paid in respect of total incapacity for work following two accidents which occurred during two work-related journeys.