

## EUROPEAN UNION CIVIL SERVICE TRIBUNAL

**Judgment of the Civil Service Tribunal (1st Chamber) of 15 October 2014 — AY v Council**

(Case F-23/11 RENV) <sup>(1)</sup>

**(Civil service — Officials — Referral back to the Tribunal after setting aside — Promotion — 2010 promotion procedure — Consideration of comparative merits — Decision not to promote the applicant)**

(2014/C 431/74)

*Language of the case: French*

### Parties

*Applicant:* AY (represented by: É. Boigelot, lawyer)

*Defendant:* Council of the European Union (represented by: M. Bauer and A.F. Jensen, Agents)

### Re:

Application for annulment of the Council's decision not to include the applicant on the list of officials promoted to Grade AST 9 under the 2010 promotion procedure and compensation for the non-material harm suffered. Case T-167/12 P referred back by the General Court after appeal.

### Operative part of the judgment

*The Tribunal:*

1. *Dismisses the action;*
2. *Declares that AY is to bear his own costs incurred in Cases F-23/11, T-167/12 P and F-23/11 RENV respectively and orders him to pay the costs incurred by the Council of the European Union in Case F-23/11;*
3. *Declares that the Council of the European Union is to bear its own costs incurred in Cases T-167/12 P and F-23/11 RENV.*

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<sup>(1)</sup> OJ C 226, 30/07/2011, p. 31.

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**Judgment of the Civil Service Tribunal (First Chamber) of 15 October 2014 — Robert van de Water v Parliament**

(Case F-86/13) <sup>(1)</sup>

**(Civil service — Rights and obligations of officials — Declaration of intention to engage in an occupational activity after leaving the service — Article 16 of the Staff Regulations — Compatibility with the legitimate interests of the institution — Prohibition)**

(2014/C 431/75)

*Language of the case: English*

### Parties

*Applicant:* Robert van de Water (Grimbergen, Belgium) (represented by: P. Bentley QC, barrister, and R. Bäuerle, lawyer)

*Defendant:* European Parliament (represented by: N. Chemaï and M. Dean, Agents)