

Judgment of the Civil Service Tribunal (First Chamber) of 26 September 2011 — Arnaldos Rosauro and Others v Commission

(Case F-29/06) ⁽¹⁾

(Staff case — Officials — Appointment — Article 5(2) of Annex XIII to the Staff Regulations — Internal competitions for transfer from one category to another published before 1 May 2004 — Candidates appearing on reserve lists before 1 May 2006 — Grading — Application of a multiplication factor of less than 1 — Loss of promotion points)

(2011/C 340/66)

Language of the case: French

Parties

Applicant: Andres Arnaldos Rosauro and Others (Brussels, Belgium) (represented, initially, by S. Rodrigues and A. Jaume, subsequently by S. Rodrigues, and, finally, by S. Rodrigues, A. Blot and C. Bernard-Glanz, lawyers)

Defendant: European Commission (represented by J. Currall and H. Krämer, acting as Agents)

Re:

Annulment of Commission decisions appointing the applicants, officials in Category C and successful candidates in an internal competition for change of category, in Grades B*3/B*4, maintaining their remuneration at the level prior to the change of category by applying a multiplying coefficient, and resetting their promotion points at zero.

Operative part of the judgment

1. *The action is dismissed.*
2. *Each party is ordered to bear its own costs.*

⁽¹⁾ OJ C 121 of 20.05.06, p. 19.

Judgment of the Civil Service Tribunal (First Chamber) of 26 September 2011 — Pino v Commission

(Case F-31/06) ⁽¹⁾

(Staff case — Officials — Appointment — Article 5(2) of Annex XIII to the Staff Regulations — Internal competitions for transfer from one category to another published before 1 May 2004 — Candidate appearing on the reserve list before 1 May 2006 — Grading — Application of a multiplication factor of less than 1 — Loss of promotion points)

(2011/C 340/67)

Language of the case: French

Parties

Applicant: Marco Pino (Brussels, Belgium) (represented by S. Orlandi, A. Coolen, J.-N. Louis and É. Marchal, lawyers)

Defendant: European Commission (represented by J. Currall and H. Krämer, acting as Agents)

Intervener in support of the Defendant: Council of the European Union (represented, initially, by M. Arpio Santacruz and M. Simm, and subsequently by M. Bauer, J. Monteiro and K. Zieleśkiewicz, acting as Agents)

Re:

Annulment of Commission decisions appointing the applicants, officials in Category B and successful candidates in an internal competition for change of category, in administrative posts, in so far as they determine the applicants' grading pursuant to Annex XIII to the Staff Regulations, maintain the application to their remuneration of a multiplication factor and reset their promotion points at zero.

Operative part of the judgment

1. *The action is dismissed.*
2. *Each party is ordered to bear its own costs.*
3. *The Council of the European Union, which has intervened, is ordered to bear its own costs.*

⁽¹⁾ OJ C 131 of 03.06.06, p. 50.

Judgment of the Civil Service Tribunal (First Chamber) of 20 September 2011 — De Buggenoms and Others v Commission

(Case F-45/06 REV)

(Civil Service — Procedure — Application for revision — Article 119 of the Rules of Procedure of the Tribunal — Decision of the Tribunal — Application for revision relating to an order for removal from the register following withdrawal from the proceedings — Res judicata — Absence — Inadmissibility raised by the Tribunal of its own motion)

(2011/C 340/68)

Language of the case: French

Parties

Applicants: Sandrine De Buggenoms and Others (Hoeilaart, Belgium) (represented by: S. Rodrigues, C. Bernard-Glanz and A. Blot, lawyers)

Defendant: European Commission (represented by: J. Currall and G. Berscheid, Agents)

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

Re:

Action for revision brought by the applicant against the order of the First Chamber of the Civil Service Tribunal on 16 September 2010, in Case F-45/06.

Operative part of the judgment

The Tribunal:

1. Dismisses the application for revision as inadmissible;
2. Orders the parties applying for revision to pay the costs incurred by the European Commission;
3. Orders the Council of the European Union, intervener in the revision proceedings, to bear its own costs.

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**Judgment of the Civil Service Tribunal (First Chamber) of
20 September 2011 — Saintraint v Commission**

(Case F-103/06 REV)

(Staff case — Procedure — Application for revision — Article 119 of the Rules of Procedure of the Civil Service Tribunal — Decision of the Tribunal — Application for revision of an order removing a case from the register following discontinuance — No binding effect — Inadmissibility raised by the Tribunal of its own motion)

(2011/C 340/69)

Language of the case: French

Parties

Applicant: Antoine Saintraint (La Paz, Bolivia) (represented by: S. Rodrigues, C. Bernard-Glanz and A. Blot, lawyers)

Defendant: European Commission (represented by: J. Currall and G. Berscheid, acting as Agents)

Intervener in support of the Defendant: Council of the European Union (represented by: M. Bauer and J. Herrmann, acting as Agents)

Re:

Application for revision by the applicant against the Order of the First Chamber of the Civil Service Tribunal of 16 September 2010, in Case F-103/06.

Operative part of the judgment

1. The application for revision is dismissed as inadmissible.
2. The applicant for revision is ordered to pay the costs of the Commission.

3. The Council of the European Union, which has intervened in the action for revision, is ordered to bear its own costs.

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**Judgment of the Civil Service Tribunal (First Chamber) of
29 September 2011 — Angé Serrano v Parliament**

(Case F-9/07) ⁽¹⁾

(Civil Service — Officials — Change of category under the old Staff Regulations — Transitional rules for grading as at 1 May 2004 — Decision of the Bureau of the European Parliament of 13 February 2006 — Reclassification on the basis of the salary of officials receiving a compensatory payment — Applicable multiplier — Loss of promotion points — Claim for compensation)

(2011/C 340/70)

Language of the case: French

Parties

Applicant: Pilar Angé Serrano (Luxembourg, Luxembourg) (represented by: É. Boigelot, lawyer)

Defendant: European Parliament (represented: initially by C. Burgos and K. Zejdová, Agents, and subsequently by L.G. Knudsen and K. Zejdová, Agents)

Intervener in support of the defendant: Council of the European Union (represented: initially by M. Simm and I. Šulce, and subsequently by K. Zieleśkiewicz, M. Bauer and J. Monteiro, Agents)

Re:

Annulment of the European Parliament's decision regrading the applicant at grade B*6, step 8; she had been included on the reserve list following an internal competition for change of category, before the entry into force of the new Staff Regulations, under the latter's less favourable provisions — Claim for compensation.

Operative part of the judgment

The Tribunal:

1. Dismisses the application;
2. Orders each party to bear its own costs;
3. Orders the Council of the European Union, the intervener, to bear its own costs.

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⁽¹⁾ OJ C 69 of 24.03.07, p. 31.