

**Case T-13/96**

**TEAM Srl and  
Centralne Biuro Projektowo-Badawcze Budownictwa Kolejowego  
(Kolprojekt)**

**v**

**Commission of the European Communities**

(PHARE Programme — Decision to annul an invitation to tender and issue a new invitation to tender — Action for annulment and claim for compensation — Application for a decision not to proceed to judgment — Plea of inadmissibility)

Order of the Court of First Instance (Fourth Chamber), 13 June 1997 ..... II - 985

**Summary of the Order**

*Actions for annulment — Action challenging the decision to annul an invitation to tender issued under the PHARE Programme and the issuing of a new invitation to tender — Withdrawal of the project to which the two invitations to tender related — Action rendered devoid of purpose — No need to adjudicate*

*(EC Treaty, Arts 173 and 176)*

An action challenging the decision of the Commission to annul an invitation to tender issued under the PHARE Programme, extending economic aid to the countries of Central and Eastern Europe, and the issuing of a new invitation to tender is rendered devoid of purpose, so that there is no longer any need for the Court to give a decision, when, during the course of the proceedings, the recipient country requests the withdrawal from the PHARE Programme of the

project to which the two invitations to tender related and the Commission accedes to that request. In such a situation, in which there is no longer a contract to be awarded and any judgment of the Court annulling the contested decision and the contested new invitation to tender could not give rise to the requirement to comply referred to in Article 176 of the Treaty, the applicant no longer has any interest in obtaining their annulment.