

ORDER OF THE COURT OF FIRST INSTANCE (Fourth Chamber)
24 April 2001

Case T-172/00

Jean-Pierre Pierard
v
Commission of the European Communities

(Officials – Posting linked to membership of the Staff Committee – Applicant not immediately re-assigned to his original post on the expiry of his term of office – Action partly manifestly inadmissible and partly manifestly unfounded)

Full text in French II - 429

Application for: annulment of the implicit decision of the Commission rejecting the applicant's request that he be re-assigned to his original service on the expiry of his term of office as a member of the Staff Committee and, second, for compensation for the non-material damage allegedly suffered.

Held: The action is dismissed. The parties are to bear their own costs.

Summary

*1. Officials – Actions – Interest in bringing proceedings – None
(Staff Regulations, Art. 91)*

*2. Officials – Non-contractual liability – Conditions – Fault on the part of the
administration – Damage – Causal link*

1. An official has no further legal interest in bringing an action for annulment where, at the time when the action is brought, he has already achieved the objective which prompted him to initiate the pre-litigation procedure.

(see para. 27)

2. The Community incurs non-contractual liability only if a number of conditions are satisfied as regards the illegality of the allegedly wrongful act committed by the institutions, the actual harm suffered and the existence of a causal link between the act and the damage alleged to have been suffered. Only harm actually and definitely suffered can give rise to compensation.

(see paras 34, 38)

See: T-205/96 *Bieber v Parliament* [1998] ECR-SC I-A-231 and II-723, para. 67;
C-257/98 P *Lucaccioni v Commission* [1999] ECR I-5251, para. 11