

European Communities (Agent: J. Currall and A. Dal Ferro, lawyer, with an address for service in Luxembourg) — application for annulment of the decisions not to admit the applicant to Open Competition COM/A/4/02 for the creation of a list of persons suitable to take the post of head of representation (Grade A 3) in Rome and an order that the defendant compensate the damage incurred — the Court of First Instance (Third Chamber), composed of M. Jaeger, President, J. Azizi and E. Cremona, Judges; J. Palacio González, Principal Administrator, for the Registrar, gave a judgment on 17 March 2005, in which it:

1. *Dismisses the application;*
2. *Orders each party to bear its own costs.*

(¹) OJ C 304, 13.12.2003.

ORDER OF THE COURT OF FIRST INSTANCE

of 16 February 2005

in Case T-142/03 **Fost Plus VZW v Commission of the European Communities** (¹)

(Action for annulment — Action brought by a legal person — Act of individual concern to it — Decision 2003/82/EC — Targets for recovery and recycling of packaging waste — Directive 94/62/EC — Inadmissibility)

(2005/C 132/50)

(Language of the case: Dutch)

In Case T-142/03: Fost Plus VZW, established in Brussels (Belgium), represented by P. Wytinck and H. Viaene, lawyers, against Commission of the European Communities (Agents: M. van Beek and M. Konstantidinis, with an address for service in Luxembourg) — application for annulment of Article 1 of Commission Decision 2003/82/EC of 29 January 2003 confirming measures notified by Belgium pursuant to Article 6(6) of Directive 94/62/EC of the European Parliament and the Council on packaging and packaging waste (OJ L 31, p. 32) — the Court of First Instance (Third Chamber), composed, in deliberation, of J. Azizi, President, M. Jaeger and F. Dehousse, Judges; H. Jung, Registrar, made an order on 16 February 2005, the operative part of which is as follows:

1. *The application is dismissed as inadmissible.*
2. *The applicant shall bear its own costs and pay those incurred by the defendant.*

(¹) OJ C 146 of 21. 6.2003.

ORDER OF THE COURT OF FIRST INSTANCE

of 19 January 2005

in Case T-372/03 **Yves Mahieu v Commission of the European Communities** (¹)

(Officials — Time-limits for complaints and actions — Implied rejection of the complaint — Inadmissibility)

(2005/C 132/51)

(Language of the case: French)

In Case T-372/03: Yves Mahieu, official of the Commission of the European Communities, residing in Auderghem (Belgium), represented by L. Vogel, lawyer, against Commission of the European Communities (Agents: J. Currall and H. Krämer, with an address for service in Luxembourg), — application for, firstly, the annulment of the decisions implicitly rejecting the claim brought by the applicant on 29 October 2002 against the decision of the Commission of 6 August 2002 rejecting his request made on the basis of Articles 24 and 90(1) of the Staff Regulations in connection with the mental harassment which he allegedly suffered and, secondly, damages — the Court of First Instance (Fifth Chamber), composed of M. Vilaras, President, F. Dehousse and D. Šváby, Judges; H. Jung, Registrar, made an order on 19 January 2005, the operative part of which is as follows:

1. *The action is dismissed as inadmissible;*
2. *Each party shall bear its own costs.*

(¹) OJ C 7, 10.1.2004.