

Subject-matter and description of the proceedings

First, annulment of the decision to close the oral procedure opened under Article 73 of the Staff Regulations, granting the applicant a rate of permanent invalidity of 64.5 %, and, secondly, an application for compensation for the material and non-material harm suffered.

Form of order sought

The applicant claims that the Tribunal should:

- annul the decision of the appointing authority of 27 July 2009 closing the procedure opened under Article 73 of the Staff Regulations following the applicant's accident of 8 December 2003;
- so far as necessary, annul the decision of 16 February 2010 rejecting the applicant's complaint;
- as a result, conclude that the rate of permanent partial invalidity (PPI) be evaluated on the basis of the rules and the scale for evaluation in force at the date of the accident and until 1 January 2006, that the application brought by the applicant under Article 73 of the Staff Regulations be re-examined by a medical committee made up of an impartial, independent and neutral body which can work quickly, with complete independence and without bias;
- order the defendant to pay default interest on the capital due under Article 73 of the Staff Regulations at a rate of 12 % over a period which opened at the latest on 8 December 2004, until complete payment of the capital;
- order the defendant to pay damages, fixed on equitable principles at EUR 50 000, in respect of the non-material harm suffered as a result of the decision taken;
- order the defendant to pay damages, fixed at EUR 15 000, in respect of the material harm suffered as a result of the decision taken;
- order the European Commission to pay the costs.

Action brought on 14 May 2010 — Wilk v Commission

(Case F-32/10)

(2010/C 179/106)

Language of the case: French

Parties

Applicant: Christian Wilk (Trier, Germany) (represented by: R. Adam, lawyer)

Defendant: European Commission

Subject-matter and description of the proceedings

Annulment of decisions ordering recovery of one half of the installation allowance paid to the applicant following his divorce, and an application for damages.

Form of order sought

- annul the Commission decisions of 20 August 2009 and 8 September 2009 ordering recovery of alleged overpayment;
- annul the Commission decision of 15 February 2010 upholding that recovery;
- order the Commission to repay the sum taken back by the Commission with interest at the statutory rate from the date of recovery until settlement;
- order the Commission to pay damages for having seriously damaged the applicant's image and reputation;
- alternatively, reserve to the applicant the right to claim additional damages for the harm suffered;
- order the European Commission to pay the costs.