

## JUDGMENT OF THE COURT

of 28 November 1989

in Case C-122/86: Anonymos Eteria Metalleftikon, Viomihanikon kai Naftiliakon Epihiriseon AE and Others v. Commission of the European Communities <sup>(1)</sup>

*(Liability — Termination of the anti-dumping proceeding concerning imports of dead-burned natural magnesite)*

(89/C 322/06)

*(Language of the Case: Greek)*

*(Provisional translation; the definitive translation will be published in the Reports of Cases before the Court)*

In Case C-122/86: Anonymos Eteria Metalleftikon, Viomihanikon kai Naftiliakon Epihiriseon AE, Makedoniki Lefkolithi-Metalleftiki, Viomihaniki kai Naftiliaki Eteria AE, Elliniki Lefkolithi-Metalleftiki, Viomihaniki Naftiliaki kai Emboriki Eteria AE, and Magnomin Geniki Metalleftiki Eteria AE — Metalleftiki, Emboriki kai Metapyitiki, companies incorporated under Greek Law, all of whose registered offices are in Athens, represented by Panagiolis Bernitsas of the Athens Bar, with an address for service in Luxembourg at the Chambers of Aloyse May, 31 Grand-Rue, against Commission of the European Communities (Agents: Dimitrios Gouloussis, John Temple Lang and Theofanis Christoforou) and Council of the European Communities (Agents: Erik Stein and Christos Mavrakos) — application under Article 178 and the second paragraph of Article 215 of the EEC Treaty for compensation for the damage caused by Decision 86/59/EEC of 6 March 1986 by which the Council terminated the anti-dumping proceeding concerning imports of dead-burned (sintered) natural magnesite originating in the People's Republic of China and North Korea <sup>(2)</sup> and by the Council's decision not to adopt the proposal for a regulation imposing a definitive anti-dumping duty on the said imports COM(83) 341 — the Court, composed of O. Due, President, Sir Gordon Slynn and C. N. Kakouris (Presidents of Chambers), T. Koopmans, R. Joliet, J. C. Moitinho de Almeida and G. C. Rodríguez Iglesias, F. Grévisse and M. Díez de Velasco, Judges; G. Tesauo, Advocate-General; B. Pastor, Administrator, for the Registrar, gave a judgment on 28 November 1989, the operative part of which is as follows:

1. *the application is dismissed;*
2. *the applicants are ordered to pay the costs.*

<sup>(1)</sup> OJ No C 195, 2. 8. 1986.  
OJ No C 78, 25. 3. 1987.  
OJ No C 116, 2. 5. 1987.  
<sup>(2)</sup> OJ No L 70, 13. 3. 1986, p. 41.

## JUDGMENT OF THE COURT

of 28 November 1989

in Case C-129/86: Hellenic Republic v. Council of the European Communities <sup>(1)</sup>

*(Termination of the anti-dumping proceeding concerning imports of dead-burned natural magnesite)*

(89/C 322/07)

*(Language of the Case: Greek)*

*(Provisional translation; the definitive translation will be published in the Reports of Cases before the Court)*

In Case C-129/86: Hellenic Republic (Agent: Yannis Kranidiotis, assisted by Stelios Perrakis and Eleni Marinou), against Council of the European Communities (Agents: Erik Stein and Christos Mavrakos) — application under Article 173 of the EEC Treaty for a declaration that Decision 86/59/EEC of 6 March 1986 by which the Council terminated the anti-dumping proceeding concerning imports of dead-burned (sintered) natural magnesite originating in the People's Republic of China and North Korea <sup>(2)</sup> and any preceding or succeeding act connected therewith are void — the Court, composed of O. Due, President, Sir Gordon Slynn and C. N. Kakouris (Presidents of Chambers), T. Koopmans, R. Joliet, J. C. Moitinho de Almeida and G. C. Rodríguez Iglesias, F. Grévisse and M. Díez de Velasco, Judges; G. Tesauo, Advocate-General; B. Pastor, Administrator, for the Registrar, gave a judgment on 28 November 1989, the operative part of which is as follows:

1. *the application is dismissed;*
2. *the Hellenic Republic is ordered to pay the costs.*

<sup>(1)</sup> OJ No C 204, 13. 8. 1986.  
OJ No C 116, 2. 5. 1987.  
<sup>(2)</sup> OJ No L 70, 13. 3. 1986, p. 41.