ORDER OF THE PRESIDENT OF THE COURT
6 November 2003 *

In Case C-169/02,

REFERENCE to the Court under Article 234 EC by the Østre Landsret (Denmark) for a preliminary ruling in the proceedings pending before that court between

Dansk Postordreforening

and

Skatteministeriet,

on the interpretation of Article 13A(1)(a) of the Sixth Council Directive (77/388/EEC) of 17 May 1977 on the harmonisation of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment (OJ 1977 L 145, p. 1),

* Language of the case: Danish.

THE PRESIDENT OF THE COURT,

after hearing Advocate General Geelhoed,

makes the following

Order

1 By order of 1 May 2002, received at the Court Registry on 6 May 2002, the Østre Landsret (Eastern Regional Court) referred to the Court for a preliminary ruling under Article 234 EC two questions on the interpretation of Article 13A(1)(a) of the Sixth Council Directive (77/388/EEC) of 17 May 1977 on the harmonisation of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment (OJ 1977 L 145, p. 1).

2 By letter of 29 September 2003, received by the Court Registry on 9 October 2003, the Østre Landsret informed the Court that it was withdrawing the reference for a preliminary ruling which it had sent to the Court, since the applicant in the main proceedings had discontinued its action.

3 Accordingly, the removal of the present case from the Court's register must be ordered.

4 The costs incurred by the Italian Government and the Commission of the European Communities, which have submitted observations to the Court, are not recoverable. Since these proceedings are, for the parties to the main proceedings, a step in the action pending before the national court, the decision on costs is a matter for that court.

On those grounds,

THE PRESIDENT OF THE COURT

hereby orders:

Case C-169/02 is removed from the Court's register.

Luxembourg, 6 November 2003.

R. Grass — Registrar

V. Skouris — President