JUDGMENT OF THE COURT (Third Chamber)

7 February 1990 *

In Case C-81/88

Helmut Müllers, an official of the Economic and Social Committee of the European Communities, represented and assisted by Edmond Lebrun, of the Brussels Bar, with an address for service in Luxembourg at the Chambers of T. Biever, 83, boulevard Grande-Duchesse Charlotte,

applicant,

v

Economic and Social Committee of the European Communities, represented by its Legal Adviser, Mr Bruggeman and by D. Lagasse, of the Brussels Bar, acting as Agents, with an address for service in Luxembourg at the office of Georgios Kremlis, a member of the Commission's Legal Department, Wagner Centre, Kirchberg,

defendant,

APPLICATION for the annulment of the following decisions of the Bureau of the Economic and Social Committee of the European Communities concerning the filling of the vacant post of Head of the Transport and Communications Division, Directorate B (Vacancy Notice No 46/87):

(a) the decision adopted on 29 June 1987 to select two candidates to fill two of the three vacant posts of Head of Division, including the post at issue, by means of internal promotion,

(b) the decision adopted on 30 June 1987 to propose that the Council of the European Communities should appoint one of those two candidates to the post at issue,

(c) the decision notified by letter of 13 July 1987 not to accept the applicant's candidature for that post,

* Language of the case: French

and also the annulment of:

(d) the decision of the Council of the European Communities of 3 December 1987 promoting the proposed candidate to Grade A 3 and appointing him Head of the Transport and Communications Division in Directorate B of the General Secretariat of the Economic and Social Committee with effect from 1 August 1987,

(e) the decision of the Chairman of the Economic and Social Committee of 15 December 1987 transferring the applicant to the section for energy, nuclear questions and research in Directorate C,

(f) the express decision rejecting his complaint notified to him by letter of 18 December 1987,

THE COURT (Third Chamber)

composed of: M. Zuleeg, President of Chamber, J. C. Moitinho de Almeida and F. Grévisse, Judges,

(the grounds of the judgment are not reproduced)

hereby:

(1) Dismisses the application;

(2) Orders each party to bear its own costs.