ORDER OF THE COURT
OF 12 MARCH 1980 [1]

Reference for a preliminary ruling by the Acting Judge at the Tribunal d'Instance, Hayange

Case 68/80

In Case 68/80

REFERENCE FOR A PRELIMINARY RULING BY THE ACTING JUDGE AT THE TRIBUNAL D'INSTANCE, HAYANGE

By decision dated 25 February 1980 the Acting Judge at the Tribunal d'Instance, Hayange, referred to the Court, pursuant to Article 177 of the Treaty establishing the EEC, a judgment which raises, in the context of an action for the eviction of tenants, the question whether an action against the said judge for damages for a denial of justice is compatible with "the requirements inherent in the very nature of Community law applicable to this case".

It is apparent from the grounds and wording of the decision making the reference that the field covered by the question referred to the Court does not in any way relate either to the interpretation of the EEC Treaty or to the validity or interpretation of an act of a Community institution.

Since the Court may at any time, pursuant to Article 92 (2) of the Rules of Procedure (as amended on 12 September 1979, Official Journal, L 238, p. 1), of its own motion consider whether there exists any absolute bar to proceeding with a case, it hereby declares that it clearly has no jurisdiction to reply to the question thus raised.

1 — Language of the Case: French.

Upon hearing the Advocate General,

THE COURT,

composed of: H. Kutscher, President, A. O'Keeffe and A. Touffait (Presidents of Chambers), J. Mertens de Wilmars, P. Pescatore, G. Bosco and T. Koopmans, Judges,

Advocate General: F. Capotorti
Registrar: A. Van Houtte

decides as follows:

The Court of Justice clearly has no jurisdiction to reply to the question referred to it by the Acting Judge at the Tribunal d'Instance, Hayange.

Luxembourg, 12 March 1980.

A. Van Houtte
Registrar

H. Kutscher
President