

Operative part of the order

1. *The action is dismissed as inadmissible;*
2. *HeidelbergCement AG is ordered to bear its own costs and to pay those incurred by the European Commission.*

⁽¹⁾ OJ C 53, 20.2.2017.

Order of the General Court of 27 November 2017 — Schwenk Zement v Commission**(Case T-907/16) ⁽¹⁾****(Action for annulment — Competition — Mergers — Market for grey cement in Croatia — Decision to initiate the detailed examination phase in accordance with Article 6(1)(c) of Regulation (EC) No 139/2004 — Act not open to challenge — Preparatory act — Inadmissibility)****(2018/C 042/38)****Language of the case: German****Parties****Applicant:** Schwenk Zement KG (Ulm, Germany) (represented by: U. Soltész, M. Raible and G. Wecker, lawyers)**Defendant:** European Commission (represented by: A. Dawes, H. Leupold and T. Vecchi, acting as Agents)**Re:**

Action brought under Article 270 TFEU, seeking annulment of Commission Decision C(206) 6591 final of 10 October 2016, to initiate the detailed examination phase in accordance with Article 6(1)(c) of Council Regulation (EC) No 139/2004, seeking to assess the compatibility with the internal market of the acquisition of control of Cemex Hungária Építőanyagok Kft. and Cemex Hrvatska d.d. by HeidelbergCement AG and Schwenk Zement through Duna-Dráva Cement Kft.

Operative part of the order

1. *The action is dismissed as inadmissible.*
2. *Schwenk Zement KG is ordered to bear its own costs as well as those incurred by the European Commission.*

⁽¹⁾ OJ C 63, 27.2.2017.

Order of the General Court of 7 December 2017 — Troszczynski v Parliament**(Case T-148/17) ⁽¹⁾****(Action for annulment — Rules governing the payment of expenses and allowances to Members of the European Parliament — Parliamentary assistance allowance — Recovery of undue payments — Partial inadmissibility — Partial non-suit)****(2018/C 042/39)****Language of the case: French****Parties****Applicant:** Mylène Troszczynski (Noyon, France) (represented by: initially, M. Ceccaldi and, subsequently, F. Wagner, lawyers)

Defendant: European Parliament (represented by: G. Corstens and S. Seyr, Agents)

Intervener in support of the defendant: Council of the European Union (represented by: A. Jensen, M. Bauer and R. Meyer, Agents)

Re:

Application under Article 263 TFEU for annulment of the decision of the Secretary General of the Parliament of 23 June 2016 concerning recovery from the applicant of the amount of EUR 56 554 unduly paid in respect of parliamentary assistance, of the related debit note, and of the decision of the Quaestors of 13 December 2016 dismissing the applicant's appeal against the decision of 23 June 2016.

Operative part of the order

1. The action is dismissed as inadmissible inasmuch as it relates to the application for annulment of the decision of the Secretary General of the European Parliament of 23 June 2016 concerning the recovery from Ms Mylène Troszczynski of the amount of EUR 56 554 unduly paid in respect of parliamentary assistance, and of the related debit note, and to the claim that the Parliament should be ordered to pay the applicant the amount of EUR 50 000 as reimbursement of recoverable costs.
2. There is no longer any need to adjudicate on the action inasmuch as it relates to the application for annulment of the decision of the Quaestors of 13 December 2016 dismissing the applicant's appeal against the decision of 23 June 2016.
3. Ms Troszczynski shall bear her own costs and also pay those incurred by the Parliament.
4. The Council of the European Union shall bear its own costs.

(¹) OJ C 144, 8.5.2017.

Order of the General Court of 7 December 2017 — Acsen v Parliament and Council

(Case T-381/17) (¹)

(Action for annulment — Directive 2011/35/EU — Merger of public limited liability companies — Nullity of the merger — No distinction between absolute nullity and relative nullity of the merger — Time-limit for bringing an action — Delay — Manifest inadmissibility)

(2018/C 042/40)

Language of the case: Romanian

Parties

Applicant: Ibram Acsen (Bucharest, Romania) (represented by: C. Gagu, lawyer)

Defendants: European Parliament (represented by: M. Pencheva and C. Ionescu Dima, acting as Agents) and Council of the European Union (represented by: S. Petrova Cerchia and A. Varnav, acting as Agents)

Re:

Application pursuant to Article 263 TFEU seeking the partial annulment of Article 22(1)(c) of Directive 2011/35/EU of the European Parliament and of the Council of 5 April 2011 concerning mergers of public limited liability companies (OJ 2011, L 110, p. 1).

Operative part of the order

1. The action is dismissed as manifestly inadmissible.