

Registry's translation, the French text alone being authoritative.

FIFTY-NINTH ORDINARY SESSION

In re METTEN (No. 6)

Judgment No. 771

THE ADMINISTRATIVE TRIBUNAL,

Considering the sixth complaint filed by Mr. André Metten against the European Patent Organisation (EPO) on 9 July 1985, the EPO's reply of 30 September, the complainant's rejoinder of 2 December 1985 and the EPO's surrejoinder of 24 February 1986;

Considering Article II, paragraph 5, of the Statute of the Tribunal;

Having examined the written evidence and disallowed the complainant's application for oral proceedings;

Considering that:

This case is about the levy imposed on the basic salary of staff in categories A and L in the EPO. The complainant belongs to category A. The facts of the case are identical to those summed up in Judgment 726 (in re Andres (No. 2) and others), under A, and the parties' pleadings are summed up in that judgment under B to E.

The complainant asks the Tribunal to declare the levy null and void and to order repayment to him of the sums wrongfully withheld, plus interest at 10 per cent a year. He also claims 3,500 Deutschmarks in costs.

CONSIDERATIONS:

For the reasons set out in Judgment 726 the Tribunal dismisses the complainant's claims.

DECISION:

For the above reasons,

The complaint is dismissed.

In witness of this judgment by Mr. André Grisel, President of the Tribunal, Mr. Jacques Ducoux, Vice-President, and Mr. Héctor Gros Espiell, Deputy Judge, the aforementioned have signed hereunder, as have I, Allan Gardner, Registrar.

Delivered in public sitting in Geneva on 12 June 1986.

(Signed)

André Grisel

Jacques Ducoux

H. Gros Espiell

A.B. Gardner