

FORTIETH ORDINARY SESSION

In re LEDRUT (No. 2)

Judgment No. 331

THE ADMINISTRATIVE TRIBUNAL,

Considering the complaint brought against the International Patent Institute by Mr. Pascal Fabien Christian Ledrut on 23 March 1977 and brought into conformity with the Rules of Court on 21 April and the Institute's reply of 8 July 1977;

A. Considering that the complainant asked the Tribunal to quash the Director-General's decision of 24 December 1976 to promote to grade A6 for 1975 six further staff members, but not the complainant, and to order "the promotion of the complainant, who should be put at the top of the promotion list of 1 December 1976";

B. Considering that by a written statement of 12 September 1977 the complainant informed the Registrar of the Tribunal that, since he had been promoted on 18 April 1977 with effect from 1 March 1976 and with nine months' seniority in step 1, the prejudice caused to him by the decision of 5 February 1976 as supplemented by that of 24 December 1976 amounted to no more than the loss of three months' seniority, and, believing that it served scarcely any purpose to press his suit for damages for prejudice "which is now almost wholly moral", he unilaterally and freely wished to withdraw suit;

C. Considering that by a letter of 21 September 1977 the Institute informed the Registrar of the Tribunal that it had no objection to the withdrawal of suit;

D. Considering that the suit is unreservedly withdrawn;

DECISION:

The withdrawal of suit is hereby recorded.

In witness of this judgment by Mr. Maxime Letourneur, President, Mr. André Grisel, Vice-President, and the Right Honourable Lord Devlin, P.C., Judge, the aforementioned have hereunto subscribed their signatures as well as myself, Morellet, Registrar of the Tribunal.

Delivered in public sitting in Geneva on 8 May 1978.

(Signed)

M. Letourneur
André Grisel
Devlin

Roland Morellet