

**SIXTY-FIFTH SESSION**

***In re* GROSCHEL**

**Judgment 951**

THE ADMINISTRATIVE TRIBUNAL,

Considering the complaint filed by Mr. Eugen Groschel against the European Organisation for the Safety of Air Navigation (Eurocontrol Agency) on 9 December 1987, corrected on 4 January 1988, and Eurocontrol's reply of 25 March 1988;

Considering that by a letter of 28 April 1988 the complainant informed the Registrar of the Tribunal that he wished to withdraw suit;

Considering the observations submitted by Eurocontrol on 26 May 1988 on the withdrawal of suit;

**CONSIDERATIONS:**

By a letter which the Registrar received on 3 May 1988 the complainant withdrew suit.

Having been so informed the Organisation contends that the withdrawal is tainted with inaccuracies that cause it moral injury. It asks the Tribunal not to record the withdrawal but to rule on the complaint by dismissing some of the claims as irreceivable and others as devoid of merit.

When a complainant withdraws suit the Tribunal will not look into his reasons for surrendering his claims. The present withdrawal is unqualified and the Tribunal will simply record it.

**DECISION:**

For the above reasons,

The withdrawal of suit is recorded.

In witness of this judgment by Mr. Jacques Ducoux, President of the Tribunal, Miss Mella Carroll, Judge, and Mr. Pierre Pescatore, Deputy Judge, the aforementioned have signed hereunder, as have I, Allan Gardner, Registrar.

Delivered in public sitting in Geneva on 8 December 1988.

(Signed)

Jacques Ducoux  
Mella Carroll  
P. Pescatore  
A.B. Gardner