



UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Case No. 2015-733

Chandran
(Applicant)

v.

Secretary-General of the United Nations
(Respondent)

ORDER No. 232 (2015)

1. On 24 March 2015, the United Nations Dispute Tribunal (UNDT or Dispute Tribunal) in Geneva rendered Summary Judgment No. UNDT/2015/025 in the case of *Manoharan, Chandran, Sharma, Subramanian, Naik and Siddiqui v. Secretary-General of the United Nations*, dismissing as not receivable *ratione materiae* the staff members' applications against *inter alia* the decision to freeze their salaries.
2. On 23 May 2015, Mr. Rajiv Chandran appealed the above-referenced Judgment to the UNDT via the Court Case Management System (CCMS). CCMS is an e-filing system which allows parties to file submissions to both the United Nations Appeals Tribunal (Appeals Tribunal) and the UNDT.
3. On 27 May 2015, the UNDT Registry informed Mr. Chandran that his filing of 23 May 2015 should have been addressed to the Registry of the Appeals Tribunal.
4. On 4 June 2015, after an e-mail exchange with the Registry of the Appeals Tribunal and IT Services, Mr. Chandran filed before the Appeals Tribunal a request for an extension of time to appeal the above-referenced Judgment on the ground that he had erroneously filed his appeal with the Registry of the Dispute Tribunal.
5. Pursuant to Article 7(3) of the Statute of the Appeals Tribunal (Statute), "[t]he Appeals Tribunal may decide in writing, upon written request by the applicant, to suspend or waive the deadlines for a limited period of time and only in exceptional cases". This Tribunal

has repeatedly held that it “has been strictly enforcing, and will continue to strictly enforce, the various time limits”.¹

6. I have considered Mr. Chandran’s request and am inclined to exceptionally grant a waiver of time. While the Appeals Tribunal has consistently held that “[i]t is the staff member’s responsibility to ensure that he or she is aware of the applicable procedure in the context of the administration of justice at the United Nations” and that “[i]gnorance cannot be invoked as an excuse”,² the present case seems to arise from a mere technical oversight by Mr. Chandran whose initial filing through CCMS, albeit misdirected to the UNDT, was within the 60-day time limit for appeals.

IT IS HEREBY ORDERED that Mr. Chandran’s Motion IS GRANTED. Mr. Chandran is ordered to refile his appeal with the Appeals Tribunal **no later than 20 July 2015**.

Original and Authoritative Version: English

Dated this 3rd day of July 2015
in Geneva, Switzerland.

(Signed)
Judge Rosalyn Chapman, President

Entered in the Register on this 6th day of
July 2015 in New York, United States.

(Signed)
Weicheng Lin, Registrar

¹ *Mezoui v. Secretary-General of the United Nations*, Judgment No. 2010-UNAT-043, para. 21. See also *Ibrahim v. Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East*, Judgment No. 2010-UNAT-069; *Harding v. Secretary-General of the United Nations*, Order No. 44 (2011); *Meron v. Secretary-General of the United Nations*, Order No. 42 (2011); *Islam v. Secretary-General of the United Nations*, Order No. 7 (2010).

² *Amany v. Secretary-General of the United Nations*, Judgment No. 2015-UNAT-521, para. 18, citing *Kissila v. Secretary-General of the United Nations*, Judgment No. 2014-UNAT-470, para. 24; *Christensen v. Secretary-General of the United Nations*, Judgment No. 2012-UNAT-218 and *Jennings v. Secretary-General of the United Nations*, Judgment No. 2011-UNAT-184.