



**Before:** Judge Teresa Bravo

**Registry:** Geneva

**Registrar:** René M. Vargas M.

KHAN

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER  
ON CASE MANAGEMENT**

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**Counsel for Applicant:**

Ludovica Moro

Neha Dubey

**Counsel for Respondent:**

N/A

## **Introduction**

1. By motion filed on 15 May 2019, the Applicant, a former staff member of the United Nations Children’s Fund (“UNICEF”), requested an extension of time to file an application against the decision to terminate her appointment on the grounds of poor performance.

2. In support of her motion, the Applicant argued that “previous [OSLA] counsel had to unexpectedly withdraw her representation due to serious health concerns” and that she “immediately contacted other counsel and instructed [them] on 10 May 2019”.

3. Private Counsel, as named in this Order, filed on the Applicant’s behalf the said motion requesting an extension of time to file an application.

4. By Order No. 41 (GVA/2019) dated 17 May 2019, the Applicant was granted an extension of time until 14 June 2019 to file a complete application. The Tribunal ruled that given the Applicant’s circumstances concerning legal representation, her situation amounted to exceptional circumstances which warranted the granting of an extension of time to submit her application under art. 8.3 of the Tribunal’s Statute, albeit not until the date that she had requested.

## **Consideration**

5. Given that there were no further filings made in the case and no completed application had been submitted, on 9 December 2019, the Tribunal enquired with the Applicant by telephone, followed by an email, in which she was asked to confirm by 12 December 2019, if she wished to pursue her application, and if yes, to provide exigent reasons for not meeting the given deadline for its completion, or if she wished to withdraw her motion.

6. The Applicant was also informed in the said email that no response from her would result in the Tribunal issuing an order striking out her motion for want of prosecution.

7. The Tribunal notes that, as of today, the Applicant has not responded to its email dated 9 December 2019 nor taken any action in relation to the instructions given to her. Therefore, the Tribunal finds it appropriate to strike out the matter for want of prosecution.

**IT IS ORDERED THAT:**

8. This matter be struck out for want of prosecution and without liberty to reinstate.

9. Case No. UNDT/GVA/2019/032 is hereby closed.

*(Signed)*

Judge Teresa Bravo

Dated this 10<sup>th</sup> day of January 2020

Entered in the Register on this 10<sup>th</sup> day of January 2020

*(Signed)*

René M. Vargas M., Registrar, Geneva