



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2025/006  
Order No.: 73 (NBI/2025)  
Date: 4 June 2025  
Original: English

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**Before:** Judge Wallace  
**Registry:** Nairobi  
**Registrar:** Wanda L. Carter

SARBESWARAN

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER  
ON MOTION FOR WITHDRAWAL**

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**Counsel for Applicant:**  
Victor Rodriguez

**Counsel for Respondent:**  
Nisha S. Valabhji, UNON

## **Introduction**

1. On 21 January 2025, the Applicant, Chief, Innovation and Business Solutions at the United Nations Office at Nairobi (“UNON”), filed an application contesting his performance rating for the period from 1 April 2022 to 31 March 2023, confirmed by UNON’s Rebuttal Panel on 14 August 2024.
2. The Respondent filed his reply to the application on 24 February 2025.
3. On 20 March 2025, the Tribunal UNDT issued Order No. 36 (NBI/2025) suspending the proceedings and referring the case to the Regional Ombudsman, Office of the United Nations Ombudsman and Mediation Services for mediation.
4. On 21 May 2025, the Applicant filed a Notice of Withdrawal, which was amended on 22 May 2025, withdrawing her application and requesting the Tribunal to close the proceedings.

## **Consideration**

5. Having reviewed the Applicant’s motion and noting that the Respondent has no objection, the Tribunal sees no obstacle to the withdrawal of the application. The Applicant’s clear and unequivocal withdrawal of his application concludes the current matter before the Tribunal.
6. The Tribunal commends the parties and the Regional Ombudsman for resolving this matter without further recourse to litigation.

## **Conclusion**

7. In view of the foregoing, the Tribunal orders that Case No. UNDT/NBI/2025/006 is hereby closed without liberty to reinstate and is struck from the Tribunal’s docket.

Case No. UNDT/NBI/2025/006

Order No. 73 (NBI/2025)

*(Signed)*

Judge Sean Wallace

Dated this 4<sup>th</sup> day of June 2025

Entered in the Register on this 4<sup>th</sup> day of June 2025

*(Signed)*

Wanda L. Carter, Registrar, Nairobi