



UNITED NATIONS DISPUTE TRIBUNAL

Case No.:	UNDT/NBI/2025/054
Order No.:	119 (NBI/2025)
Date:	4 August 2025
Original:	English

Before: Duty Judge
Registry: Nairobi
Registrar: Wanda L. Carter

CHUBAKA

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON THE RESPONDENT'S
MOTION FOR PERMISSION TO
EXCEED THE PAGE LIMIT AND
DEADLINE FOR CLOSING
SUBMISSIONS**

Counsel for Applicant:

Julia Kyung Min Lee, OSLA

Counsel for Respondent:

Wei Zhuang, DAS/ALD/OHR, UN Secretariat
Talha Konukpay, DAS/ALD/OHR, UN Secretariat

Introduction

1. On 12 May 2025, the Applicant filed an application contesting the decision to delay the issuance of his personnel payroll clearance action form (“P.35”) and notification to the United Nations Joint Staff Pension Fund (PF.4 form) (“the contested decision”).

2. The Respondent filed a reply on 16 June 2025 arguing that the application is not receivable because the Administration has never made any decision to delay the issuance of the Applicant’s P.35 and PF.4 forms, and that the time taken to process the Applicant’s pension documents does not constitute an administrative decision. The Respondent also requests to exceed the page limit (by two pages) given “the factual complexity of the case”.

Consideration

3. This is one of several similar cases pending before the Tribunal arising from the Organization taking similar contested decisions in respect of separating staff members of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (“MONUSCO”). Counsel representing the parties in these cases are either the same person(s) or from the same offices, that is, the Office of Staff Legal Assistance for the Applicants, or from the Division of Administrative Law, Administrative Law Division, Office of Human Resources, for the Respondent.

4. In view of the foregoing, the Tribunal, in accordance with art. 19 of the UNDT Rules of Procedure, considers it appropriate to issue the following orders for the fair and expeditious disposal of the case and to do justice to the parties.

IT IS ORDERED THAT

5. The Respondent’s motion seeking leave to exceed the page limit is granted and the reply is accepted.

6. By **5 p.m. (Nairobi time) on Monday, 11 August 2025**, the Respondent shall, by separate filing, produce evidence of legitimate investigative activity over

the year and a half, since 23 February 2024, when the Applicant was notified by the Office of Internal Oversight Services that he had been identified as a subject of possible unsatisfactory conduct involving allegations that he had submitted 15 false provider claims under the Organization's Medical Insurance Plan for his medical expenses. The Respondent's submissions in this regard shall not exceed five pages (excluding the cover and signature pages), in font Times New Roman, font size 12, line spacing of 1.5 lines.

7. The parties shall file closing submissions **by 5 p.m. (Nairobi time) on Monday, 18 August 2025.**

8. The closing submissions shall not exceed 10 pages (excluding the cover and signature pages), in font Times New Roman, font size 12, line spacing of 1.5 lines.

(Signed)

Judge Sean Wallace (Duty Judge)

Dated this 4th day of August 2025

Entered in the Register on this 4th day of August 2025

(Signed)

Wanda L. Carter, Registrar, Nairobi