



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2024/020  
Order No.: 026 (NY/2025)  
Date: 27 February 2025  
Original: English

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**Before:** Judge Solomon Areda Waktolla

**Registry:** New York

**Registrar:** Isaac Endeley

SINHA

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER**  
**ON CASE MANAGEMENT**

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**Counsel for Applicant:**

George G. Irving

**Counsel for Respondent:**

Elizabeth Gall, BMS/OLS, UNDP

## **Introduction**

1. On 14 February 2025, the Tribunal conducted a case management discussion (“CMD”) via Microsoft Teams in accordance with Order No. 018 (NY/2025) dated 7 February 2025. Counsel for both parties, as well as the Applicant, participated in the CMD. The topics discussed included: (a) the scope of the application; (b) the main issues in contention; (c) the holding of a hearing; (d) pending disclosure requests; and (e) possible witnesses to be heard.
2. At the conclusion of the CMD, the Tribunal encouraged the parties to consider engaging in informal settlement discussions and to report back to it within a week.
3. On 20 February 2025, the parties notified the Tribunal that there was no prospect of informally resolving the case. The Tribunal will therefore proceed to consider the case on the merits.

## **Considerations**

### *Applicant’s rejoinder request*

4. Counsel for the Applicant requested to be given the opportunity to file a rejoinder to the Respondent’s reply. Counsel for the Respondent did not object to the request but noted that both parties had worked together to prepare the consolidated lists of agreed and disputed facts.
5. Consequently, the Tribunal will grant the request.

### *Applicant’s request for a hearing*

6. Counsel for the Applicant requested the Tribunal to hold a hearing, noting that it will be the Applicant’s only opportunity to present her case since the issuance of the contested decision. Counsel for the Respondent stated that if there will be a hearing, a summary of each witness’s testimony should be provided to the opposing Counsel.

7. Having already consulted the parties regarding their availability to attend a hearing, the Tribunal will grant the request to hold a hearing and issue appropriate instructions in that regard.

*Additional documentary evidence*

8. Counsel for the Applicant noted that pursuant to Order No. 086 (NY/2024) dated 24 July 2024, he had submitted additional documentary evidence as Annex 8 and Annex 9, which includes some confidential and sensitive information. Counsel for the Respondent also indicated that pursuant to the same order, she too had filed Annex R/14 and Annex R/15 with additional information on 30 August 2024.

9. The Tribunal took note of the additional documents and will treat them as appropriate, in accordance with Practice Direction No. 6 on Records of the Dispute Tribunal.

*Oral evidence (witnesses)*

10. Counsel for the Applicant reiterated that as indicated in his submission of 30 August 2024, he intends to call only the Applicant as a witness. He does not envisage calling any other witnesses. Counsel for the Respondent also noted that in her submission of 30 August 2024, she had provided a list of five potential witnesses. However, she requested that the Applicant be directed to file a witness statement, after which Counsel for the Respondent will determine whether there is a need to call any witnesses to respond to the Applicant's evidence.

11. The Tribunal will instruct the parties to confirm their respective lists of witnesses and to provide a summary of each witness's proposed testimony in advance of the hearing.

12. In light of the above,

IT IS ORDERED THAT:

13. **By 4:00 p.m. on Thursday, 13 March 2025**, the Applicant shall file a rejoinder to the Respondent's reply, at a maximum of five pages using font Times New Roman, font size 12 pts, and 1.5 line spacing.

14. A hearing shall be held in this case on **14 and 15 April 2025**.

15. The additional documents filed by both parties pursuant to Order No. 086 (NY/2024) of 24 July 2024 are admitted into the case file.

16. **By 4:00 p.m. on Thursday, 27 March 2025**, the parties shall file their respective lists of witnesses including a summary of the points on which each witness will testify with specific reference to the consolidated list of disputed facts.

17. Upon receipt of the above-mentioned submissions, the Tribunal will issue appropriate instructions for further case management.

*(Signed)*

Judge Solomon Areda Waktolla

Dated this 27<sup>th</sup> day of February 2025

Entered in the Register on this 27<sup>th</sup> day of February 2025

*(Signed)*

Isaac Endeley, Registrar, New York