

UNDT/2009/055, Bhatia

UNAT Held or UNDT Pronouncements

Pursuant to Article 10.1 of the Rules of Procedure, a respondent that fails to file its reply on time is barred from taking part in the proceedings, except with the permission of the Dispute Tribunal. In this particular case, to attain a fair and expeditious disposal of the case and to do justice to the parties it was necessary for the respondent to file a reply. Outcome: The judge exercised her discretion pursuant to Articles 10.1 and 19 of the Rules of Procedure to grant leave to the respondent to take part in the proceedings and to file its reply out of time.

Decision Contested or Judgment/Order Appealed

The respondent failed to file its reply on time, and later requested an extension of time to file the reply explaining that it had to finalize its consultation with the newly organized department in which the applicant was employed.

Legal Principle(s)

N/A

Outcome

Judgment entered for Applicant in full or in part

Full judgment

[Full judgment](#)

Applicants/Appellants

Bhatia

Entity

UN Secretariat

Case Number(s)

UNDT/NY/2009/110

Tribunal

UNDT

Registry

New York

Date of Judgement

28 Oct 2009

Language of Judgment

English

French

Issuance Type

Judgment

Categories/Subcategories

Procedure (first instance and UNAT)

Applicable Law

UNDT RoP

- Article 10.1

- Article 19
- Article 35
- Article 36.1
- Article 7.5

UNDT Statute

- Article 8.3