

UNDT/2009/069, Ghosn

UNAT Held or UNDT Pronouncements

The Applicant did not actively or diligently pursue his case because: he failed to give instructions to his Counsel in respect to his challenge against the non-renewal of his fixed-term appointment; he had been informed about the Status Conference by his Counsel and had failed to make an appearance or to contact the Tribunal to give reasons for his absence; his Counsel had advised that as far as she was concerned, the substantive matter in the application had been resolved; and from the documents tendered by the Respondent, the Tribunal was convinced that the substantive matter in the application had been addressed and resolved. The Tribunal: (i) refused the application for an adjournment of the case to January 2010 or any other date; (ii) granted the Applicant's Counsel leave to withdraw from further acting for the Applicant; and (iii) struck out the application on the merits.

Decision Contested or Judgment/Order Appealed

The Applicant contested the decision not to renew his appointment.

Legal Principle(s)

N/A

Outcome

Dismissed for want of prosecution/abandonment

Outcome Extra Text

The Tribunal struck out the application on the merits because the Applicant did not actively or diligently pursue his case.

Full judgment

[Full judgment](#)

Applicants/Appellants

Ghosn

Entity

UNEP

Case Number(s)

UNDT/NBI/2009/008

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

6 Nov 2009

Duty Judge

Judge Izuako

Language of Judgment

English

French

Issuance Type

Judgment

Categories/Subcategories

Non-renewal

Applicable Law

Secretary-General's bulletins

- ST/SGB/2009/11