

UNDT/2010/029, Moussa

UNAT Held or UNDT Pronouncements

The Tribunal reiterated a general principle of procedural law that the right to institute legal proceedings is based on a legitimate interest in initiating and maintaining legal action. Access to the court is denied to those who are obviously no longer interested in the proceedings they once instituted. This applies to the Applicant who did not respond to any of the Tribunal's requests.

Decision Contested or Judgment/Order Appealed

The Applicant submitted an application to the New York Registry of UNDT. According to internal rules on 'geographical proximity' the case was transferred to the Geneva Registry. This was explained to the Applicant at length. The Applicant did not respond to the Tribunal's request for further information. The Tribunal repeated its request, alerting the Applicant that her application might be struck out in case of non-compliance. The Applicant never responded.

Legal Principle(s)

N/A

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Moussa

Entity

UNIIIC

Case Number(s)

UNDT/GVA/2009/092

Tribunal

UNDT

Registry

Geneva

Date of Judgement

15 Feb 2010

Duty Judge

Judge Laker

Language of Judgment

English

French

Issuance Type

Judgment

Categories/Subcategories

Procedure (first instance and UNAT)

Applicable Law

UNDP RoP

- Article 36
- Article 9

Related Judgments and Orders

UNDT/2009/061