

UNDT/2010/061, Sanwidi

UNAT Held or UNDT Pronouncements

Having considered the parties' submissions on the matter of the appropriate relief for the Applicant, the Tribunal: (i) Orders rescission of the decision to summarily dismiss the Applicant; (ii) Orders the Respondent to reinstate the Applicant; (iii) Orders the Respondent to make good the Applicant's lost earnings from the date of his summary dismissal to the date of his reinstatement with interest at 8% less US\$ 2,600 per month for the said period; (iv) Orders that the Applicant be served a written reprimand to be filed in his Official Status File for the reasons cited at paragraph 8.1 (iii) of Judgment No. UNDT/2010/036; (v) Fixes the compensation to be paid to the Applicant, should the Secretary-General decide, in the interest of the Administration, not to perform the obligation to reinstate the Applicant, at two years' net base salary at the rate in effect on the date of the Applicant's separation from service, with interest payable at eight per cent per annum as from 90 days from the date of distribution of this Judgment until payment is effected; and, (vi) Rejects all other pleas.

Decision Contested or Judgment/Order Appealed

The Applicant appealed the decision to summarily dismiss him for serious misconduct.

Legal Principle(s)

N/A

Outcome

Judgment entered for Applicant in full or in part

Full judgment

[Full judgment](#)

Applicants/Appellants

Sanwidi

Entity

MONUC

Case Number(s)

UNDT/NBI/2009/053

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

12 Apr 2010

Duty Judge

Judge Izuako

Language of Judgment

English

French

Issuance Type

Judgment

Categories/Subcategories

Compensation

Separation from service

Termination (of appointment)

Summary dismissal

Applicable Law

UNDT Statute

- Article 10

Related Judgments and Orders

UNDT/2010/036