

UNDT/2010/167, Jose

UNAT Held or UNDT Pronouncements

In UNDT Judgment No. 037, Sethia (2010), the Tribunal set out the applicable law in determining whether the time limits imposed by the Statute of the Dispute Tribunal will be waived. In the present case, having considered the applicant's submissions, the Tribunal finds that they do not satisfy the requirement of "exceptional" in Article 8.3 of the Statute of the Dispute Tribunal. The applicant's physical presence was not required in the U.S. for her to file her Application.

Decision Contested or Judgment/Order Appealed

The issue for determination in this Application is whether or not the applicant's appeal dated 12 November 2008 against the decision not to renew her Appointment of Limited Duration is time barred.

Legal Principle(s)

N/A

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Jose

Entity

MONUC

Case Number(s)

UNDT/NBI/2010/20/UNAT/1647

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

23 Sep 2010

Duty Judge

Judge Izuako

Language of Judgment

English

French

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Temporal (ratione temporis)

Applicable Law

UNDT Statute

- Article 8.3

Related Judgments and Orders

UNDT/2010/037