UNDT/2011/073, Modeste

UNAT Held or UNDT Pronouncements

UNDT held that, in light of Order No. 62 (NY/2010) and the subsequent lack of prosecution of the proceedings, there was no matter for adjudication before the Tribunal. UNDT closed the case without a determination of its merits.

Decision Contested or Judgment/Order Appealed

Request for a suspension of action of a decision to appoint another candidate to a post.

Legal Principle(s)

For an application for suspension of action to be successful, it must demonstrate that the impunged decision was prima facie unlawful, that it caused irreparable damage, and that there was a matter of urgency.

Outcome

Dismissed as not receivable

Full judgment

Full judgment

Applicants/Appellants

Modeste

Entity

UN Secretariat

Case Number(s)

UNDT/NY/2010/062

Tribunal

UNDT

Registry

New York

Date of Judgement

25 Apr 2011

Language of Judgment

English French

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)
Suspension of action / interim measures

Applicable Law

Staff Rules

• Rule 11.4(a)

UNDT Statute

• Article 2.2

Related Judgments and Orders

UNDT/2009/003