

UNDT/2011/147, Jocondo

UNAT Held or UNDT Pronouncements

The Tribunal recalled that the burden of proof lay on the Applicant and there was nothing on record to show that the contested decision was made on the ground of improper motives against the Applicant. On the contrary, it found that OCHA had acted in good faith.

Decision Contested or Judgment/Order Appealed

The Applicant sought a suspension of action of the decision not to renew his appointment beyond 31 July 2011.

Legal Principle(s)

In cases of abolition of post due to budgetary necessities, the Administration must act in good faith.

Outcome

Dismissed on merits

Outcome Extra Text

The Tribunal dismissed the Applicant's request for suspension of action of the decision to abolish the post he encumbered in Haiti and reassign him to Dakar, Senegal, on a position at the P-5 level.

Full judgment

[Full judgment](#)

Applicants/Appellants

Jocondo

Entity

OCHA

Case Number(s)

UNDT/NBI/2011/045

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

24 Aug 2011

Duty Judge

Judge Boolell

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Abolition of post

Reassignment or transfer

Suspension of action / interim measures

Applicable Law

UNDT RoP

- Article 13

UNDT Statute

- Article 10
- Article 2.2