

# UNDT/2011/191, Benchebbak

## UNAT Held or UNDT Pronouncements

On 19 October 2011, the Tribunal issued Order No. 129 (NBI/2011) suspending the implementation of the contested decision until 10 November 2011 allowing the Tribunal to allow the filing of the Respondent's Reply, the hearing held on 3 November 2011 and the determination of the matter. The Applicant was communicated the response from MEU on 27 October 2011 as well as the Secretary-General's response. The Applicant filed his case on the merits, registered in the Dispute Tribunal's records as UNDT/NBI/2011/070 and simultaneously filed under article 14 of the Dispute Tribunal's Rules of Procedure seeking an interim relief. The Applicant has also stated that he is not pressing the article 13 Application anymore. In view of the foregoing, Order No. 129 (NBI/2011) is no longer in force as of the date of this Judgment. The Application for suspension of action, under UNDT/NBI/2011/064 is hereby rejected

## Decision Contested or Judgment/Order Appealed

The Applicant filed the present Application for the suspension of the implementation of the administrative decision not to renew his contract and consequently separate him from service on 22 October 2011.

## Legal Principle(s)

N/A

## Outcome

Dismissed on merits

## Full judgment

[Full judgment](#)

## Applicants/Appellants

Benchebbak

## Entity

MINURSO

## Case Number(s)

UNDT/NBI/2011/064

## Tribunal

UNDT

## Registry

Nairobi

## Date of Judgement

10 Nov 2011

## Duty Judge

Judge Boolell

## Language of Judgment

English

## Issuance Type

Judgment

## Categories/Subcategories

Suspension of action / interim measures  
Irreparable damage

Particular urgency

Prima facie unlawfulness

## Applicable Law

UNDT RoP

- Article 13
- Article 14