

UNDT/2014/090, Khan

UNAT Held or UNDT Pronouncements

The UNDT found that given that the Applicant failed to comply with the deadline for the filing of his request for management evaluation, his application was time-barred and his application was not receivable before the Tribunal.

Decision Contested or Judgment/Order Appealed

The Applicant, a driver for the United Nations International Children Fund (“UNICEF”), Pakistan, filed an application on 17 March 2014 contesting the decision dated 23 April 2013 to abolish his post and terminate his fixed-term appointment.

Legal Principle(s)

Reiteration of administrative decision: Reiterations of the same decision in response to a staff member’s repeated requests to reconsider the matter do not reset the deadlines for appealing the decision. Further, when a staff member makes the same repeated requests of the administration, only the first decision, is subject to appeal. Deadlines for management evaluation: The Dispute Tribunal “has no jurisdiction to waive deadlines for management evaluation”, or to make any exceptions thereto.

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Khan

Entity

UNICEF

Case Number(s)

UNDT/NY/2014/14

Tribunal

UNDT

Registry

New York

Date of Judgement

27 Jun 2014

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Applicable Law

Staff Rules

- Rule 11.2(c)

UNDT RoP

- Article 9

UNDT Statute

- Article 2.1
- Article 8.3

Related Judgments and Orders

UNDT/2010/165

UNDT/2011/053

UNDT/2011/101

UNDT/2012/036

UNDT/2009/036

2010-UNAT-013

2010-UNAT-036

2010-UNAT-043

2010-UNAT-060

UNDT/2010/174

UNDT/2010/210

2011-UNAT-108

2011-UNAT-180

2012-UNAT-191

2012-UNAT-218

2013-UNAT-306