

UNDT/2015/010, Krioutchkov

UNAT Held or UNDT Pronouncements

Hence, the pre-requisite of seeking management evaluation prior to filing an application before the Tribunal was not met. While, in an earlier management evaluation, the Applicant contested the decision not to advertise any posts of Russian Translator, P-3 at UNON, even assuming that this management evaluation covered the decision impugned in the application, the latter was not filed within the statutory 90-day time limit as from the receipt of the reply to this earlier management evaluation request.

Decision Contested or Judgment/Order Appealed

The Applicant appealed the non-advertisement of a post of Russian Translator (P-3) at UNON. However, in his management evaluation, he challenged a different decision, namely the “administrative decision on the selection” for that post.

Legal Principle(s)

Contested decision in application/management evaluation request: If the decision contested in the relevant management evaluation is not the same as the one impugned in the application, the pre-requisite of seeking management evaluation prior to coming before the Tribunal is not fulfilled.

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Krioutchkov

Entity

ESCAP

Case Number(s)

UNDT/GVA/2014/81

Tribunal

UNDT

Registry

Geneva

Date of Judgement

2 Feb 2015

Duty Judge

Judge Laker

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Applicable Law

Staff Rules

- Rule 11.2(a)
- Rule 11.4(a)

UNDT RoP

- Article 9

UNDT Statute

- Article 8.1(d)(i)

Related Judgments and Orders

2013-UNAT-300

2013-UNAT-335

2013-UNAT-313

2014-UNAT-406