

UNDT/2016/039, Wendlinger

UNAT Held or UNDT Pronouncements

Receivability *ratione materiae*: The Tribunal is only competent to consider applications against an administrative decision for which an applicant has timely requested management evaluation, when required. Failure to file a timely request for management evaluation makes the application irreceivable, *ratione materiae*.

Decision Contested or Judgment/Order Appealed

On or before 10 February 2016, the Administration informed the Applicant about the amount of the end of service allocation he would be paid upon his separation on early retirement. This is the decision contested by the Applicant. The Applicant filed the present application on 9 April 2016 and, upon the Tribunal's inquiry, confirmed on 19 April 2016 that he had not filed a request for management evaluation. The Tribunal found the application to be irreceivable *ratione materiae*, since the Applicant failed to file a (timely) request for management evaluation.

Legal Principle(s)

N/A

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Wendlinger

Entity

UNOV

Case Number(s)

UNDT/GVA/2016/23

Tribunal

UNDT

Registry

Geneva

Date of Judgement

24 Apr 2016

Duty Judge

Judge Laker

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

TEST -Rename- Benefits and entitlements-45

Jurisdiction / receivability (UNDT or first instance)

Management Evaluation

Subject matter (*ratione materiae*)

Applicable Law

Staff Rules

- Rule 11.2(c)

UNDT RoP

- Article 9

UNDT Statute

UNAT Statute

- Article 2.1(a)

Related Judgments and Orders

2014-UNAT-402

2010-UNAT-043

2011-UNAT-158

2013-UNAT-308

2010-UNAT-036

2012-UNAT-260

2013-UNAT-368

2013-UNAT-313

2013-UNAT-335