

UNDT/2016/065, Seyfollahzadeh

UNAT Held or UNDT Pronouncements

The Tribunal found that the letter of 9 June 2015 constitutes, in essence, merely the implementation of the earlier decision to separate the Applicant from the Organization for reason of post abolition. The termination of the Applicant's appointment was already adjudicated by Judgment Seyfollahzadeh UNDT/2015/037, affirmed by the Appeals Tribunal in its Judgment Seyfollahzadeh 2016-UNAT-620. The Tribunal thus found that the matter was res judicata, and rejected the application. Res judicata: If a termination letter constitutes the mere implementation of an earlier decision to terminate the appointment of a staff member, and if that original termination decision was subject of a judgment of the Dispute and confirmed by the Appeals Tribunal, the matter is res judicata and the application has to be rejected.

Decision Contested or Judgment/Order Appealed

By application filed on 17 November 2015, the Applicant contests the termination of her permanent appointment, effective 10 June 2015, communicated to her by letter of 9 June 2015. The Applicant had been informed of the termination of her appointment in 2014, and, since December 2014, her appointment had been extended only for administrative purposes.

Legal Principle(s)

N/A

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Seyfollahzadeh

Entity

UNDP

Case Number(s)

UNDT/GVA/2015/174

Tribunal

UNDT

Registry

Geneva

Date of Judgement

1 Jun 2016

Duty Judge

Judge Laker

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Appointment (type)

Permanent appointment

Separation from service

Termination (of appointment)

Related Judgments and Orders

UNDT/2015/037

2012-UNAT-238

2016-UNAT-620

2010-UNAT-063

2015-UNAT-533