

UNDT/2016/105, Lackner

UNAT Held or UNDT Pronouncements

The application is now moot. The Applicant has essentially received the relief sought, as the decision has been rescinded and his claim is being reconsidered. On this matter, he could not have been granted greater relief by the Tribunal. Accordingly, the Tribunal exercises its power under art. 9 of the Tribunal's Rules of Procedure to summarily dismiss the application, but noting that no decision has been made on its merits.

Decision Contested or Judgment/Order Appealed

The Applicant contests a decision in respect of the amount of compensation for loss and damage to personal effects attributable to service, and also challenges UNAMA's requirement that he sign its Release from Liability Form instead of the standard Undertaking and Assignment Form required by Administrative Instruction ST/AI/149/Rev.4.

Legal Principle(s)

A party may move for summary judgement when there is no dispute as to the material facts of the case and a party is entitled to judgement as a matter of law.

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Lackner

Entity

UNAMA

Case Number(s)

UNDT/GVA/2016/40

Tribunal

UNDT

Registry

Geneva

Date of Judgement

3 Aug 2016

Duty Judge

Judge Downing

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Suspension of action / interim measures

Applicable Law

Administrative Instructions

- ST/AI/149/Rev.4

UNDT RoP

- Article 9