

UNDT/2016/201, Wahi, Jaya, Srivastava

UNAT Held or UNDT Pronouncements

Since the applications were identical, the Tribunal joined them per employing organization. The Tribunal found that the applications were irreceivable because no timely management evaluation request had been filed and, even assuming the impugned decisions were of such type that no management evaluation was required, the applications were not filed within the statutory time limits to come before the Tribunal. Receivability: Requesting management evaluation within 60 days of the notification of the impugned decision is mandatory for any administrative decision with the exception of two specific categories of decisions: those taken pursuant to advice obtained from technical bodies and measures taken further to a disciplinary process. Even when it is not needed, the application before the Tribunal must be filed within 90 days of the notification of the decision at issue, failing which the case will be irreceivable *ratione temporis*.

Decision Contested or Judgment/Order Appealed

The Applicants contested a series of measures regarding their salary scales and entitlements taken further to the comprehensive Local Salary Survey conducted in India in June 2013.

Legal Principle(s)

N/A

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Wahi, Jaya, Srivastava

Entity

UNFPA

Case Number(s)

UNDT/GVA/2016/65

UNDT/GVA/2016/67

UNDT/GVA/2016/68

Tribunal

UNDT

Registry

Geneva

Date of Judgement

4 Nov 2016

Duty Judge

Judge Bravo

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Temporal (*ratione temporis*)

Applicable Law

Staff Rules

- Rule 11.2

UNDT RoP

- Article 9

UNDT Statute

- Article 8