

UNDT/2016/205, Manly-Spain

UNAT Held or UNDT Pronouncements

The Applicant did not comply with the requirement of staff rule 11.2 (c) to request management evaluation within the period of 60 days from the date of notification of the decision. The deadline expired on 12 January 2014, but she requested management evaluation on 12 February 2014.

Decision Contested or Judgment/Order Appealed

The Applicant contested “the decision to recover amounts she received as dependency benefits for her child as of 1 July 2009”.

Legal Principle(s)

Where a request for management evaluation is necessary, it is a mandatory first step in the process leading to a judicial determination on the merits. In the event of an appeal to the Dispute Tribunal an applicant has to demonstrate that the decision being appealed against had previously been the subject of a request for management evaluation and that both the request and the claim to the Tribunal complied with the required deadlines and time limits.

Outcome

Dismissed as not receivable

Outcome Extra Text

The application was dismissed because the Applicant did not request management evaluation.

Full judgment

[Full judgment](#)

Applicants/Appellants

Manly-Spain

Entity

UNSOA

Case Number(s)

UNDT/NBI/2014/53

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

17 Nov 2016

Duty Judge

Judge Meeran

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Personal (ratione personae)

United Nations Joint Staff Pension Fund (UNJSPF)

Applicable Law

Staff Rules

- Rule 11.2(c)