

UNDT/2017/090, Peglan

UNAT Held or UNDT Pronouncements

The Tribunal held that the application for revision was manifestly inadmissible because the Applicant did not bring to the attention of the Tribunal the existence of any new decisive fact which was unknown to the Tribunal or to himself at the time Judgment No. UNDT/2016/059 was rendered. The issue of lack of investigation alleged by the Applicant was properly considered in Judgment No. UNDT/2016/059.

Decision Contested or Judgment/Order Appealed

Refusal by ONUCI Security Investigation Unit to carry out an investigation into the 6 April 2011 incident reported by the Applicant.

Legal Principle(s)

An application for revision of executable judgment is based on the discovery of a decisive fact which was, at the time the judgment was rendered, unknown to the Tribunal and to the party applying for revision, and such ignorance was not due to negligence.

Outcome

Dismissed as not receivable

Outcome Extra Text

The Tribunal found the application not receivable and dismissed it in its entirety.

Full judgment

[Full judgment](#)

Applicants/Appellants

Peglan

Entity

UNS

Case Number(s)

UNDT/NBI/2017/111

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

28 Nov 2017

Duty Judge

Judge Izuako

Language of Judgment

English

French

Issuance Type

Judgment

Categories/Subcategories

TEST -Rename- Benefits and entitlements-45

Jurisdiction / receivability (UNDT or first instance)

Applicable Law

UNDT RoP

- Article 29

UNDT Statute

- Article 12