

UNDT/2019/122, Mwetaminwa

UNAT Held or UNDT Pronouncements

The Tribunal refused to entertain the application. It found that the Applicant had submitted a most confused and inarticulate application. The application had many flaws. The Tribunal, therefore, determined that a summary judgment was appropriate and the application was accordingly refused.

Decision Contested or Judgment/Order Appealed

The Applicant contested the decision by MONUSCO to abolish his post and dry cut his fixed-term appointment.

Legal Principle(s)

Pursuant to art. 9 of the UNDT Rules of Procedure, a party may move for summary judgment when there is no dispute as to the material facts of the case and a party is entitled to the judgment as a matter of law. The Dispute Tribunal may determine, on its own initiative, that summary judgment is appropriate.

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Mwetaminwa

Entity

MONUSCO

Case Number(s)

UNDT/NBI/2019/093

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

3 Jul 2019

Duty Judge

Judge Izuako

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Separation from service

Applicable Law

UNDT RoP

- Article 9