

UNDT/2020/103, Mukeba wa Mukeba

UNAT Held or UNDT Pronouncements

The Applicant failed to abide by several orders and did not respond to attempts from the Registry to contact him. The Tribunal, therefore, can only conclude that the Applicant is no longer interested in the pursuit and outcome of these legal proceedings, which must therefore be deemed to have been abandoned, and this matter therefore stands to be dismissed for want of prosecution.

Decision Contested or Judgment/Order Appealed

Imposition of the disciplinary measure of separation from service, with compensation in lieu of notice without termination indemnity.

Legal Principle(s)

A principle of procedural law provides that the right to institute and pursue legal proceedings is predicated upon the condition that the person exercising this right has a legitimate interest in initiating and maintaining legal action and that access to the Dispute Tribunal has to be denied to those who are no longer in need of judicial remedy, or no longer interested in the proceedings.

Outcome

Dismissed for want of prosecution/abandonment

Full judgment

[Full judgment](#)

Applicants/Appellants

Mukeba wa Mukeba

Entity

MONUSCO

Case Number(s)

UNDT/NY/2019/071

Tribunal

UNDT

Registry

New York

Date of Judgement

29 Jun 2020

Duty Judge

Judge Adda

Language of Judgment

English

French

Issuance Type

Judgment

Categories/Subcategories

Disciplinary matters / misconduct

Judgment-related matters