

2010-UNAT-015, Macharia

UNAT Held or UNDT Pronouncements

UNAT considered the Appellant's appeal and found that she did not demonstrate that her request for an extension of time was reasonable. UNAT found that the evidence about negotiations being contemplated, needed, or underway was previously refuted on appeal. UNAT noted that the Appellant had the time and the assistance of legal counsel to advance her application and did not avail herself of those opportunities. UNAT accordingly dismissed the appeal.

Decision Contested or Judgment/Order Appealed

The Applicant was dismissed from her post for serious misconduct. She applied an extension of the time limit to challenge dismissal and UNDT granted her 21 days. The Applicant then applied for a one-year extension, which UNDT denied. UNDT found that she had not adduced evidence to show that negotiations are ongoing as stated in her application and noted that it would be an abuse of process for the Applicant to indulge in frivolous and unending applications for extension of time where she is more inclined to ignore orders granted her in a previous application.

Legal Principle(s)

Left deliberately blank

Outcome

Appeal dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Macharia

Entity

UN-Habitat

Case Number(s)

2009-020

Tribunal

UNAT

Registry

New York

Date of Judgement

30 Mar 2010

President Judge

Judge Boyko

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Procedure (first instance and UNAT)

Related Judgments and Orders

UNDT/2009/081