

# **2010-UNAT-073, Pellet**

## UNAT Held or UNDT Pronouncements

UNAT held that it was open to UNDT to consider the preliminary issue of whether the Appellant had legal standing even to challenge the administrative decision not to advertise the vacancies. UNAT held there was no error in the UNDT's decision that the Appellant was not entitled to contest the administrative decision since he was not an eligible candidate for any of the vacant posts. UNAT held that the Appellant had no stake in the administrative decision as his rights and terms were not affected by the fact that the posts were not advertised. UNAT held that the appeal failed on the ground that the Appellant had no standing to challenge the administrative decision. UNAT held that no error in fact or law was made. UNAT dismissed the appeal and affirmed the UNDT judgment.

## Decision Contested or Judgment/Order Appealed

The Applicant sought to challenge the lack of advertisement of certain vacant posts, which he argued denied him the opportunity to apply for them. UNDT dismissed the application as non-receivable for lack of legal standing.

## Legal Principle(s)

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## Outcome

Appeal dismissed on merits

## Full judgment

[Full judgment](#)

## Applicants/Appellants

Pellet

## Entity

UNHCR

## Case Number(s)

2010-069

## Tribunal

UNAT

## Registry

New York

## Date of Judgement

29 Oct 2010

## President Judge

Judge Boyko

## Language of Judgment

English

## Issuance Type

Judgment

## Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Temporal (ratione temporis)

## Related Judgments and Orders

UNDT/2010/013