

2010-UNAT-077, Rasul

UNAT Held or UNDT Pronouncements

UNAT considered an appeal against Order No. UNDT/NBI/O/2010/023 by the Secretary-General. Applying the principle that a party in whose favour a case has been decided is not permitted to appeal against the judgment on legal or academic grounds, UNAT held that the Order had no practical effect following the withdrawal of the request for suspension of action. UNAT held that the appeal was moot as it was academic and sought an opinion regarding the issues raised in the appeal. UNAT dismissed the appeal.

Decision Contested or Judgment/Order Appealed

The Applicant contested the decision not to extend her contract. In response to an application for suspension of action, UNDT issued Order No. UNDT/NBI/O/2010/023, which granted the application. On the same day as the application, the Applicant withdrew her request for suspension of action as the Secretary-General had agreed to extend her contract by one month and her application had become moot.

Legal Principle(s)

A party in whose favour a case has been decided is not permitted to appeal against the judgment on legal or academic grounds.

Outcome

Appeal dismissed on receivability

Full judgment

[Full judgment](#)

Applicants/Appellants

Rasul

Entity

MONUC

Case Number(s)

2010-073

Tribunal

UNAT

Registry

New York

Date of Judgement

27 Oct 2010

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Interlocutory or interim appeal / Appeal of UNDT order to UNAT

Suspension of action

Judgment-related matters

Interpretation of Judgment

Jurisdiction / receivability (UNAT)

Interlocutory appeal

Suspension of action / interim measures

Mootness

Applicable Law

UNAT Statute

- Article 7

Related Judgments and Orders

2010-UNAT-048