

2011-UNAT-102, Muthuswami et al.

UNAT Held or UNDT Pronouncements

The former staff members filed an application for revision of judgment 2010-UNAT-034. UNAT held that none of the facts presented fulfilled the requirements of Article 11(1) of the UNAT Statute and Article 24 of the Rules of Procedure. UNAT held that the application for revision was an attempt to relitigate the case. UNAT dismissed the application for revision.

Decision Contested or Judgment/Order Appealed

The former staff members contested the decision to deny their request for restoration of full pension for one-third lump sum recipients after a pre-determined period of commutation. In judgment 2010-UNAT-034, UNAT dismissed the appeal.

Legal Principle(s)

Revision of a final judgment is an exceptional procedure and not an additional opportunity for a party to relitigate arguments that failed at trial or on appeal.

Outcome

Appeal dismissed on receivability

Full judgment

[Full judgment](#)

Applicants/Appellants

Muthuswami et al.

Entity

UNJSPF

Case Number(s)

2009-001bis

Tribunal

UNAT

Registry

New York

Date of Judgement

11 Mar 2011

Language of Judgment

English

French

Issuance Type

Judgment

Categories/Subcategories

Judgment-related matters

Revision of Judgment

Applicable Law

UNAT RoP

- Article 24

UNAT Statute

- Article 11.1

Related Judgments and Orders

2010-UNAT-034