

2011-UNAT-147, Osman

UNAT Held or UNDT Pronouncements

UNAT noted that, in finding the application to be time-barred, UNDT considered whether any exceptional circumstances existed to allow a waiver of the time limits and found that neither health problems nor the need to replace counsel constituted justification in the specific circumstances of the case. UNAT held that the Appellant failed to demonstrate any error warranting the reversal of the first instance judgment, whose conclusions it endorsed, as they relied on a correct application of the law. UNAT dismissed the appeal and affirmed the UNDT judgment.

Decision Contested or Judgment/Order Appealed

The Applicant contested the decision not to renew his contract. UNDT dismissed the application as time-barred.

Legal Principle(s)

Exceptional circumstances are required in order to allow the waiver of the time limit for filing an application after management evaluation.

Outcome

Appeal dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Osman

Entity

UNAMI

Case Number(s)

2010-145

Tribunal

UNAT

Registry

New York

Date of Judgement

8 Jul 2011

President Judge

Judge Simón

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Temporal (ratione temporis)

Applicable Law

None

Related Judgments and Orders

UNDT/2010/158