

2012-UNAT-198, Meron

UNAT Held or UNDT Pronouncements

UNAT noted that UNDT correctly stated that the former UN Administrative Tribunal considered and rejected all of the Appellant's other pleas and that for this reason, the matter of interest was res judicata. UNAT also noted that UNDT ordered the Secretary-General to make a payment of USD 25,000 as compensation for the excessive and inordinate delays and the emotional harm and to arrange for a Medical Board to consider outstanding invoices. UNAT found that, as the Secretary-General did not appeal, he had therefore accepted the UNDT's decision and financial award. UNAT held that UNDT's decision was final. UNAT dismissed the appeal.

Decision Contested or Judgment/Order Appealed

The Applicant contested the decision to reject her plea for payment of USD 25,863. 40, representing "underpayment" of her disability benefit under Appendix D to the Staff Rules. UNDT determined that the Respondent had correctly calculated the amount of her Appendix D disability benefit in US dollars, consequently, there was no issue of underpayment.

Legal Principle(s)

The authority of a final judgment cannot be readily set aside. There must be an end to litigation and the stability of the judicial process requires that final judgments by an appellate court not be set aside unless for the gravest of reasons. Once a judgment is executable, either party may apply to UNDT for an order for execution of the judgment if the judgment requires execution within a certain period of time and such execution has not been carried out.

Outcome

Appeal dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Meron

Entity

UNOG

Case Number(s)

2011-201

Tribunal

UNAT

Registry

New York

Date of Judgement

16 Mar 2012

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

TEST -Rename- Benefits and entitlements-45

Compensation for injury, illness or death attributable to service (Appendix D to Staff Rules)

Judgment-related matters
Appeals of final judgments
Applicable Law
UNDT RoP

- Article 32.2

Related Judgments and Orders
UNDT/2011/004
2010-UNAT-026bis