

2012-UNAT-279, Sanbar

UNAT Held or UNDT Pronouncements

UNAT held that UNRWA DT had correctly dismissed the application as not receivable for being time-barred. UNAT held that UNRWA DT had correctly found the application not receivable ratione materiae since the Appellant had not contested an administrative decision and had erroneously filed his appeal with the International Joint Appeals Board. UNAT dismissed the appeal and affirmed the UNRWA DT judgment.

Decision Contested or Judgment/Order Appealed

The Applicant contested the decision to deny him the payment of interest at eight per cent for the 20-month delay in the payment of his retirement benefit. UNRWA DT found that the application was not receivable ratione materiae since there was no administrative decision that the Applicant could appeal. UNRWA DT found that the International Staff Joint Appeals Board had no jurisdiction over his application because it related to his employment relationship with UNRWA as a staff member. UNRWA DT found that the application was also not receivable because it was time-barred, as both the request for administrative review and the appeal to the Area Joint Appeals Board had been filed more than nine years late.

Legal Principle(s)

The Dispute Tribunal is competent to rule on issues of appeal only if the appeal to the former Joint Appeals Board was timely. UNAT has been strictly enforcing and will continue to strictly enforce the various time limits.

Outcome

Appeal dismissed on merits

Outcome Extra Text

No relief ordered; No relief ordered.

Full judgment

[Full judgment](#)

Applicants/Appellants

Sanbar

Entity

UNRWA

Case Number(s)

2012-308

Tribunal

UNAT

Registry

New York

Date of Judgement

1 Nov 2012

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Subject matter (ratione materiae)

Temporal (ratione temporis)

Related Judgments and Orders

2010-UNAT-050/Corr.1

2010-UNAT-043