

# 2013-UNAT-389, Reid

## UNAT Held or UNDT Pronouncements

UNAT held that, given the absolute restriction on its judicial discretion with respect to time limits, UNDT ought not to have entered into a review of the possible existence of exceptional circumstances justifying an extension of the time limit. UNAT held that the complaint was filed beyond the time limit for administrative review or management evaluation and beyond the threshold for receivability established by the UNDT's Statute and Rules of Procedure. UNAT dismissed the appeal.

## Decision Contested or Judgment/Order Appealed

The Applicant contested the decision to select an alternative candidate after he had been selected for a position. UNDT dismissed the application as time-barred.

## Legal Principle(s)

UNDT cannot waive the time limit to file an appeal more than three years after the applicant's receipt of the contested administrative decision.

## Outcome

Appeal dismissed on merits

## Full judgment

[Full judgment](#)

## Applicants/Appellants

Reid

## Entity

MINURCAT

## Case Number(s)

2013-443

## Tribunal

UNAT

## Registry

New York

## Date of Judgement

17 Oct 2013

## Language of Judgment

English

## Issuance Type

Judgment

## Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Temporal (ratione temporis)

## Applicable Law

Former Staff Rules

- Rule 111.2(a)
- Rule 111.2(f)

UNDT RoP

- Article 7.6

UNDT Statute

- Article 8.4

## Related Judgments and Orders

UNDT/2012/188

2010-UNAT-043

2012-UNAT-268