

2013-UNAT-390, Wesslund

UNAT Held or UNDT Pronouncements

UNAT considered a writ of mandamus from Ms Wesslund, who requested that UNAT order UNDT to accept her applications. UNAT held that because it did not have inherent or original jurisdiction outside its capacity as an appellate body, it considered the motion for writ of mandamus to be an appeal against UNDT Order No. 100 (NY/2013). UNAT held that the appeal was received beyond the deadline for appeal. Noting that Ms Wesslund did not apply to UNAT for an extension or waive of the applicable time limits, UNAT held that the appeal of the Order was not receivable *ratione temporis*. UNAT dismissed the motion of writ of mandamus as not receivable.

Decision Contested or Judgment/Order Appealed

In Order No. 100 (NY/2013), UNDT ruled that only an application submitted on the prescribed application form and through the eFiling portal, which met all the requirements of UNDT Practice Direction 4 and all other relevant requirements, would be considered for registration and transmitted to UNDT by the Registry.

Legal Principle(s)

UNAT may decide in writing, upon written request by the applicant, to suspend or waive the deadlines for a limited period of time, except the deadlines for management evaluation.

Outcome

Appeal dismissed on receivability

Full judgment

[Full judgment](#)

Applicants/Appellants

Wesslund

Entity

UNICEF

Case Number(s)

2013-506

Tribunal

UNAT

Registry

New York

Date of Judgement

17 Oct 2013

President Judge

Judge Faherty

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNAT)

Interlocutory appeal

Temporal (*ratione temporis*)

Applicable Law

GA Resolutions

- A/RES/66/237

UNAT RoP

- Article 18bis.1

UNAT Statute

- Article 2.3
- Article 7.1(c)