

2014-UNAT-474, Al-Mulla

UNAT Held or UNDT Pronouncements

As a preliminary matter, UNAT dismissed the Appellant's motion "for a finding of the Respondent's dissembling. " With respect to the substance of the appeal, UNAT held that, regardless of the nature of the new fact discovered by an applicant, timeliness of the filing of an application for revision is essential. UNAT dismissed the appeal and affirmed the UNDT judgment.

Decision Contested or Judgment/Order Appealed

The Applicant contested the decision to return him to his original P-3 position. UNDT considered an application for revision of judgment No. UNDT/2013/129. UNDT dismissed his application as baseless and submitted outside the time limits. UNDT also rejected the Secretary-General's request for costs against the Applicant, holding that while the application bordered on abuse, it was not manifestly so.

Legal Principle(s)

An application for revision is only receivable if it fulfils the strict and exceptional criteria established by the UNAT Statute.

Outcome

Appeal dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Al-Mulla

Entity

UNODC

Case Number(s)

2013-547

Tribunal

UNAT

Registry

New York

Date of Judgement

17 Oct 2014

President Judge

Judge Adinyira

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Judgment-related matters

Revision of Judgment

Jurisdiction / receivability (UNDT or first instance)

Temporal (ratione temporis)

Applicable Law

UNDT RoP

- Article 24

UNDT Statute

- Article 12.1

Related Judgments and Orders

UNDT/2013/129

2011-UNAT-129

2013-UNAT-394