

2017-UNAT-800, King

UNAT Held or UNDT Pronouncements

UNAT held that the appeal was not receivable *ratione temporis*, as he did not file it within the prescribed time limits. UNAT noted that even if the Appellant had requested a waiver of the time limit on the basis of exceptional circumstances, his appeal was time-barred by Article 7.4 of the UNAT Statute and was therefore not receivable. UNAT dismissed the appeal and affirmed the UNDT judgment.

Decision Contested or Judgment/Order Appealed

The Applicant contested the decision rejecting his request to recognise the United States as his place of repatriation and to issue proper travel authorisation so that he could finalise his separation from service upon retirement. UNDT dismissed the application in its entirety as not receivable both *ratione temporis* and *ratione materiae*. UNDT found that given the Administration had provided him with a written travel authorisation and certificate of service, any challenge of decisions relating to those were moot.

Legal Principle(s)

An appeal to UNAT is not receivable *ratione temporis* if it is not filed within the prescribed time limits.

Outcome

Appeal dismissed on receivability

Full judgment

[Full judgment](#)

Applicants/Appellants

King

Entity

UNAMID

Case Number(s)

2017-1085

Tribunal

UNAT

Registry

New York

Date of Judgement

27 Oct 2017

President Judge

Judge Knierim

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNAT)

Temporal (ratione temporis)

Applicable Law

UNAT RoP

- Article 18.1

UNAT Statute

- Article 7
- Article 7.4
- Article 8.3

Related Judgments and Orders

UNDT/2016/045