

2018-UNAT-824, Mbok

UNAT Held or UNDT Pronouncements

UNAT denied the request for an oral hearing. UNAT held that UNDT was correct in finding that the Appellant should have requested a management evaluation of decision on or before 16 December 2014 and that he did not do so until 3 January 2017. UNAT agreed with UNDT that the application was not receivable. UNAT dismissed the appeal and affirmed the UNDT judgment.

Decision Contested or Judgment/Order Appealed

The Applicant contested the decision to terminate his continuing appointment. UNDT found that the Applicant's request for management evaluation was untimely and, therefore, the application time-barred and not receivable.

Legal Principle(s)

In accordance with Staff Rules 11. 2(a) and (c), for an application to be receivable, the applicant must first submit a request for management evaluation within the applicable time limit, which is 60 calendar days from the date on which the staff member received notification of the administrative decision to be contested.

Outcome

Appeal dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Mbok

Entity

MONUSCO

Case Number(s)

2017-1113

Tribunal

UNAT

Registry

New York

Date of Judgement

22 Mar 2018

President Judge

Judge Knierim

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNAT)

Temporal (ratione temporis)

Applicable Law

Other UN issuances (guidelines, policies etc.)

- UNAT Practice Direction No.1/Section II.A.3

UNAT RoP

- Article 18.1

UNAT Statute

- Article 8.3

UNDT Statute

- Article 2.5

Related Judgments and Orders

UNDT/2017/061