

2018-UNAT-848, Oguntola

UNAT Held or UNDT Pronouncements

UNAT denied the Appellant's request for an oral hearing and held that it would not assist in the expeditious and fair disposal of the case, as required by Article 18(1) of the RoP. UNAT held that Toure is binding precedent on UNDT as it applied to the Appellant's case and found no fault with UNDT's judgment.

Decision Contested or Judgment/Order Appealed

The Applicant contested the decision to abolish his post. UNDT referred to Toure as precedent. UNDT held that the Applicant had no legitimate expectancy of extension of his appointment and that under the applicable budgetary rules, the abolition of the Regional Advisor posts did not require prior approval by the COM or the General Assembly and constituted a lawful exercise of managerial discretion. UNDT dismissed the application in its entirety.

Legal Principle(s)

Under Toure, there is no expectancy of renewal of fixed-term and temporary contracts.

Outcome

Appeal dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Oguntola

Entity

ECA

Case Number(s)

2017-1136

Tribunal

UNAT

Registry

New York

Date of Judgement

29 Jun 2018

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Abolition of post

Non-renewal

No expectancy of renewal

Applicable Law

UNAT RoP

- Article 18.1

UNAT Statute

- Article 2.1
- Article 8.3

Related Judgments and Orders

UNDT/2017/079

2013-UNAT-346