

2010-UNAT-026bis, Shanks

UNAT Held or UNDT Pronouncements

The UNAT, citing the principle of *res judicata*, noted that the authority of a final judgment could not be so readily set aside. The UNAT held that the limited grounds and the gravest of reasons required for setting aside a final judgment by an appellate court are not met in this case.

The UNAT found that, as the staff member also acknowledges, the current request fell outside of the permissible grounds for revision, correction, or interpretation.

The UNAT decided that there were no grounds for it to review this matter in any way, dismissed the staff member's application and affirmed the previous UNAT judgment.

Decision Contested or Judgment/Order Appealed

Previous UNAT Judgment

In Judgment No. 2010-UNAT-026, the UNAT rejected the staff member's appeal against a decision of the Standing Committee of the United Nations Joint Staff Pension Board not to reconsider its own decision that she met the criteria for a disability benefit.

The staff member filed an application for "reconsideration" of the previous UNAT judgment.

Legal Principle(s)

The party who loses cannot re-litigate his or her case. There must be an end to litigation and the stability of the judicial process requires that final judgments by an appellate court be set aside only on limited grounds and for the gravest of reasons.

Outcome

Revision, correction, interpretation or execution

Full judgment

[Full judgment](#)

Applicants/Appellants

Shanks

Entity

Not indicated

Case Number(s)

2010-031

Tribunal

UNAT

Registry

New York

Date of Judgement

16 Aug 2010

President Judge

Judge Weinberg de Roca

Judge Boyko

Judge Simón

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Revision of Judgment

Judgment-related matters

Applicable Law

UNAT Statute

- Article 11

Related Judgments and Orders

2010-UNAT-026