

# UNDT/2021/155, Elien

## UNAT Held or UNDT Pronouncements

The Applicant is no longer interested in the pursuit and outcome of these legal proceedings, which must therefore be deemed to have been abandoned, and this matter therefore stands to be dismissed for want of prosecution.

## Decision Contested or Judgment/Order Appealed

Imposition of a disciplinary sanction of dismissal.

## Legal Principle(s)

The right to institute and pursue legal proceedings is predicated upon the condition that the person exercising this right has a legitimate interest in initiating and maintaining legal action and that access to the Dispute Tribunal has to be denied to those, who are no longer in need of judicial remedy or no longer interested in the proceedings. Great care needs to be taken in exercising this power, and an application may not be dismissed without evidence that an applicant has failed to meet his obligations.

## Outcome

Dismissed for want of prosecution/abandonment

Full judgment

[Full judgment](#)

Applicants/Appellants

Elien

Entity

UNHCR

Case Number(s)

UNDT/NY/2021/044/T

Tribunal

UNDT

Registry

New York

Date of Judgement

17 Dec 2021

Duty Judge

Judge Adda

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Termination (of appointment)

Related Judgments and Orders

UNDT/2009/061

UNDT/2010/047

UNDT/2015/034

UNDT/2019/157

