

UNDT/2022/113, Turk

UNAT Held or UNDT Pronouncements

The Tribunal found that there were several reasons why the application was not receivable: the impugned decision was merely a prefatory act , moreover, as such, it was sub judice in Case No. UNDT/NBI/2022/6. However, on a purely formal plane, the application had been filed out of time.

Decision Contested or Judgment/Order Appealed

The Applicant was contesting a decision he described as "a request of appeal against discriminatory decision on 1 November 2021 of establishing so-called Comparative review Panel to select the staff member with lowest score, which was myself, as the entrenched staff member in light of the Secretary General request to downgrade a P4 position, which also proved to be fake. I was that victim of UNAMI`s leadership personal prejudices and self-motivated interests[.]"

Legal Principle(s)

Article 8(1)(i)(a) of the UNDT Statute stipulates that an application shall be receivable if, in cases where a management evaluation of the contested decision is required, it is filed within 90 calendar days of the applicant's receipt of the response by management to his or her submission.

Outcome

Dismissed as not receivable

Outcome Extra Text

Full judgment

[Full judgment](#)

Applicants/Appellants

Turk

Entity

UNAMI

Case Number(s)

UNDT/NBI/2022/096

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

19 Oct 2022

Duty Judge

Judge Milart

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Temporal (ratione temporis)

Expiration of appointment (see also, Non-renewal)
Jurisdiction / receivability (UNDT or first instance)
Separation from service
Applicable Law
UNDT Statute

- Article 8.1(i)

Related Judgments and Orders
2014-UNAT-481