

# UNDT/2023/025, ASLAM

## UNAT Held or UNDT Pronouncements

The Applicant failed to identify an administrative decision within the meaning of art 2.1(a) of the Tribunal's Statute. In the absence of an administrative decision, the Tribunal cannot assume jurisdiction over a matter.

The Applicant failed to comply with staff rule 11.2(a), which makes management evaluation a pre-requisite for staff wishing to contest decisions excluded by staff rule 11.2(b). Since the Applicant did not submit his claim for negligence/gross negligence for management evaluation, the Tribunal could not entertain his application.

## Decision Contested or Judgment/Order Appealed

The Secretary-General's implied decision not to respond to the Applicant's complaint of negligence, gross negligence, and a breach of a duty of care.

## Outcome

Dismissed as not receivable

## Full judgment

[Full judgment](#)

## Applicants/Appellants

ASLAM

## Entity

UNAMID

## Case Number(s)

UNDT/NBI/2023/038

## Tribunal

UNDT

## Registry

Nairobi

## Date of Judgement

28 Apr 2023

## Duty Judge

Judge Milart

## Language of Judgment

English

## Issuance Type

Judgment

## Categories/Subcategories

Subject matter (ratione materiae)

Jurisdiction / receivability (UNDT or first instance)

## Applicable Law

UNDT Statute

- Article 8.1(d)(i)(a)