

UNDT/2023/109, Ocokoru

UNAT Held or UNDT Pronouncements

The Application being barred by *res judicata*, this case is dismissed as not receivable *ratione materiae*.

Decision Contested or Judgment/Order Appealed

The decision of the Secretary-General to close investigations into the Applicant's rape complaint; the non-implementation of UNDT Judgment No: UNDT/2015/004; the decision to “underpay compensation ordered by UNDT and refusal to pay Applicant’s medical bills and withheld salary and refusal to properly and conclusively separate the Applicant.

Legal Principle(s)

The applicable jurisprudence has long recognized the doctrine of *res judicata*, under which an application is not receivable *ratione materiae* when the matter has been resolved by a prior final judgment.

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Ocokoru

Entity

UNMISS

Case Number(s)

UNDT/NBI/2023/070

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

2 Oct 2023

Duty Judge

Judge Wallace

Language of Judgment

English

Appeal Status

Appealed

Issuance Type

Judgment

Categories/Subcategories

Subject matter (ratione materiae)

Jurisdiction / receivability (UNDT or first instance)

Jurisdiction / receivability (UNAT)

Applicable Law

Administrative Instructions

- ST/AI/371

Related Judgments and Orders

2010-UNAT-026

2010-UNAT-063

2015-UNAT-554

2012-UNAT-198

2022-UNAT-1281

UNDT/2015/004

2015-UNAT-604

UNDT/2020/045