

# **2024-UNAT-1487, Mubashara Iram**

## **UNAT Held or UNDT Pronouncements**

The UNAT held that the application for revision had no merit. The UNAT considered that since all the evidence submitted by the applicant as new had always been in her possession and she had never mentioned them or made any effort to have them produced during the judicial proceedings, this evidence was not new to her.

The UNAT noted furthermore that the applicant's submissions essentially repeated or added to the same arguments that she had raised before the UNAT in the prior proceedings.

In addition, the UNAT pointed out that in failing to comply with the Order in which the UNAT granted in part her request to increase the page limit of the application for revision, the applicant risked that her conduct would be found to constitute a manifest abuse of process, with a consequent order of costs being made against her. However, the UNAT did not award costs against her.

The UNAT dismissed the application for revision.

## **Decision Contested or Judgment/Order Appealed**

A former staff member filed an application for revision of a prior UNAT Judgment.

In Judgment No. 2023-UNAT-1340, the UNAT had dismissed the staff member's appeal, granted the Secretary-General's appeal, modified the UNDT Judgment and dismissed in entirety her application contesting a disciplinary decision to separate her from service for harassing her colleagues.

## **Legal Principle(s)**

The first issue in consideration of an application for revision is whether the applicant has presented a new fact that was unknown to the Appeals Tribunal and the applicant at the time of the prior Judgment.

## Outcome

Revision, correction, interpretation or execution

## Outcome Extra Text

The application for revision is dismissed.

## Full judgment

[Full judgment](#)

## Applicants/Appellants

Mubashara Iram

## Entity

UNICEF

## Case Number(s)

2023-1857

## Tribunal

UNAT

## Registry

New York

## Date of Judgement

20 Nov 2024

## President Judge

Judge Gao

Judge Forbang

Judge Savage

## Language of Judgment

English

## Issuance Type

Judgment

## Categories/Subcategories

Manifest abuse

Revision of Judgment

Abuse of process before UNDT/UNAT

Judgment-related matters

## Applicable Law

UNAT Practice Direction No.1

UNAT RoP

UNAT Statute

- Article 9.2

## Related Judgments and Orders

2023-UNAT-1340

2010-UNAT-063

2023-UNAT-1352

2017-UNAT-735