

UNDT/2024/013, Bahel

UNAT Held or UNDT Pronouncements

The Dispute Tribunal had no record of any case filed by the Applicant ever having been transferred to it from JDC when the new system of internal justice at the United Nations took force in July 2009.

Taking into consideration the Applicant's subsequent failure to pursue the claim for over 12 years, and the absence of any record of a case transferred to it, the Tribunal does not consider itself seized of the application filed in 2007, before the JDC.

Therefore, the Tribunal finds that the application is not receivable.

Decision Contested or Judgment/Order Appealed

The Applicant sought "adjudication of the request for review dated 10.01.2007, which was transferred from the Joint Disciplinary Committee" ("JDC") to the United Nations Dispute Tribunal following the closure of the JDC and the establishment of the Dispute Tribunal in July 2009.

Legal Principle(s)

The receivability of an application is a condition *sine qua non* for the Dispute Tribunal to exercise its power of judicial review the Dispute Tribunal is required to satisfy itself that an application is receivable under art. 8 of its Statute.

A determination on receivability must be made without regard to the merits of the case.

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Bahel

Entity

UN Secretariat

Case Number(s)

UNDT/NY/2024/002

Tribunal

UNDT

Registry

New York

Date of Judgement

7 Mar 2024

Duty Judge

Judge Adda

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Temporal (ratione temporis)

Jurisdiction / receivability (UNDT or first instance)

Applicable Law

UNDT Statute

- Article 2.6

UNAT Statute

- Article 8

Related Judgments and Orders

2010-UNAT-073

2013-UNAT-313

2013-UNAT-335

2013-UNAT-380

2014-UNAT-480

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