

017 (NBI/2025), Tarek Abdou

UNAT Held or UNDT Pronouncements

Having filed a motion requesting an extension of time to file an application with a fast-approaching deadline, Counsel should have monitored the case file for a ruling but failed to do so. Considering the amount of time Counsel spent drafting and filing motions for extension of time, he could have filed an application instead. This resulted in more resources being expended by the Applicant's Counsel and by the Tribunal in dealing with the motions. However, the Applicant should not suffer prejudice because of his Counsel's neglect.

Decision Contested or Judgment/Order Appealed

The Applicant challenged the decision to separate him from service. In this motion, the Applicant requests a further extension of time to file his Application after failing to meet the deadline for the first extension granted by this Tribunal, due to "inadvertent law office error".

Legal Principle(s)

An applicant should not suffer prejudice because of his/her counsel's neglect. Failure or neglect of counsel would constitute exceptional circumstances beyond the Applicant's control as contemplated by the Statute.

Outcome

Other motion granted

Full order

[Full order](#)

Individual Party

Tarek Abdou

Entity

MINUSMA

Case Number(s)

UNDT/NBI/2025/016 (Abdou, Tarek)

Tribunal

UNDT

Registry

Nairobi

Date of Order

20 Feb 2025

Duty Judge

Judge Wallace

Language of Order

English

Appeal Status

Appealed

Issuance Type

Order

Categories/Subcategories

Extension of time

Management Evaluation

Applicable Law

UNDT RoP

- Article 7.5
- Article 8.3

UNDT Statute