



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2025/016

Order No.: 17 (NBI/2025)

Date: 20 February 2025

Original: English

Before: Duty Judge

Registry: Nairobi

Registrar: Wanda L. Carter

ABDOU

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON APPLICANT'S MOTION FOR A
FURTHER EXTENSION OF TIME TO
FILE AN APPLICATION**

Counsel for Applicant:

Jason Biafore, OSLA

Counsel for Respondent:

Introduction

1. On 17 February 2025, the Tribunal issued Order No. 15 (NBI/2025) on the Applicant's first Motion requesting an extension of time to file an application. The Tribunal partly granted the Applicant's request and gave him until close of business on Tuesday, 18 February 2025 to file an application. The Applicant did not comply with this deadline.

2. On 20 February 2025, the Applicant filed a second Motion requesting an extension of time to file his application. The Applicant submits that "due to inadvertent law office error, Applicant's counsel did not become aware of this Order until the morning of 20 February 2025, and now seeks a further extension of time to file the Applicant's application by close of business of the same date, 20 February 2025." The Applicant's counsel further submits that the "Applicant should not be so prejudiced as a result, as such would constitute exceptional circumstances beyond his control, as contemplated by Article 8(3) of the UNDT Statute."

Considerations

3. The Tribunal does not comprehend how counsel would file a Motion requesting an extension of time to file an application with a fast-approaching deadline but fail to monitor his case file for a ruling. Considering the amount of time counsel has now spent drafting and filing these motions, he could have filed an application by now instead. This has resulted in more resources being expended by the Applicant's counsel and by the Tribunal in dealing with these Motions. However, the Applicant should not suffer prejudice because of his counsel's neglect.

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Conclusion

4. In view of the foregoing, it is ORDERED THAT the Applicant shall file his application by **5 p.m.** today, **Thursday, 20 February 2025**.

(Signed)

Judge Sean Wallace (Duty Judge)

Dated this 20th day of February 2025

Entered in the Register on this 20th day of February 2025

(Signed)

Wanda L. Carter, Registrar, Nairobi