



**Before:** Judge Goolam Meeran

**Registry:** New York

**Registrar:** Hafida Lahiouel

SINA

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**JUDGMENT**

**ON WITHDRAWAL**

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**Counsel for Applicant:**

George Irving

**Counsel for Respondent:**

Fabrizio Mastrogirolamo, UNDP

## **Introduction**

1. On 8 May 2012, a substantive hearing was held at the Dispute Tribunal in New York. At the end of the hearing, following guidance from the Tribunal, Counsel indicated that, instead of presenting oral closing submissions, they preferred the proceedings to be suspended to allow them time to consider the evidence and the issues raised by the Judge.

2. Accordingly, by Order No. 96 (NY/2012) dated 9 May 2012, the Tribunal ordered that all further proceedings be suspended for seven days after which Counsel were to file and serve their closing written submissions by 5:00 p.m. on 18 May 2012.

3. By motion dated 16 May 2012, Counsel for the Respondent informed the Tribunal that efforts were being made by the parties to continue their discussions. He requested that the proceedings be suspended for an additional three weeks until 8 June 2012 because of “the complexity of the matter as well as to the unavailability of some key [United Nations Development Programme] Senior Officers with decision-making authority, who are currently on mission”. By Order No. 103 (NY/2012) dated 16 May 2012, the Tribunal granted leave for the extension of time as requested.

4. By motion dated 8 June 2012, the parties informed the Tribunal that they were nearing an amicable resolution of the case and requested a further extension of time for a period of two weeks, until Friday 22 June 2012, in order to finalise the settlement agreement.

5. By Order No. 120 (NY/2012) dated 18 June 2012, the Tribunal granted the requested time extension.

6. By joint submission dated 22 June 2012, the parties informed the Tribunal that they had reached an amicable settlement of “all outstanding claims” related to the present case and submitted for the consideration of the Tribunal the following form of words to be incorporated in the final Judgment disposing of the case, “The parties

informed the Tribunal that they have reached an agreement and that there are no outstanding claims arising from the present case. The Applicant advised the Tribunal of his decision to withdraw his application”.

### **Considerations**

7. The Tribunal commends the parties for their efforts in finding an amicable resolution and for reaching finality in this matter.

8. Having received notice from the Applicant that he no longer wishes to pursue his case and that there are no outstanding claims arising from the present case, there remains no matter for adjudication by the Tribunal.

### **Conclusion**

9. In light of the Applicant’s withdrawal of his application and there remaining no matter for adjudication by the Dispute Tribunal, Case No. UNDT/NY/2010/058 is hereby closed.

*(Signed)*

Judge Goolam Meeran

Dated this 7<sup>th</sup> day of November 2012

Entered in the Register on this 7<sup>th</sup> day of November 2012

*(Signed)*

Hafida Lahiouel, Registrar, New York