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D A O S   SP   R B   AL

## Introduction

1. By application filed on 7<sup>th</sup> April 2016, the Applicant, a former staff member of the International Centre for Genetic Engineering and Biotechnology (ICGEB), Islamabad, Pakistan County Office ("PCO"), contests the decision not to select the applicant for the post of Program Assistant, S-5, Islamabad, Pakistan, Pesawa, Pakistan, and not to inform the applicant of the selection.

2. The Respondent files a reply to the application on 18 April 2016.

## Procedural history

3. On April 2016, the Applicant filed a motion for production of documents. By Order No. 87 (A/2016) of 9<sup>th</sup> May 2016, the Respondent's motion for production of documents was granted on 9<sup>th</sup> May 2016.

4.

7. On September<sup>2</sup> 17, the Appellant's case was assigned to the undersigned Judge and by Order No. 17 (A<sup>2</sup> 17) of 11 September<sup>2</sup> 17, the Respondent was ordered to file additional documents and to appear before the undersigned management session on 18 September<sup>2</sup> 17.

8. On<sup>22</sup> September<sup>2</sup> 17, the Respondent filed a motion for extension of time to comply with Order No. 17 (A<sup>2</sup> 17). The court, by Order No. 18<sup>1</sup> (A<sup>2</sup> 17) of<sup>2</sup> 5 September<sup>2</sup> 17, ordered that the documents to be filed by<sup>2</sup> 6 September<sup>2</sup> 17, for which the Respondent complied.

9. By Order No. 187 (A<sup>2</sup> 17) of October<sup>2</sup> 17, the court set the date for a hearing on the merits in relation to the Appellant's non-settlement case, which was held on 5 and 11 October<sup>2</sup> 17. The parties filed the closing submissions on<sup>2</sup> 7 October<sup>2</sup> 17.

10. The Appellant has two other cases before the court:

a. Intellectual Property Case (eg. see under Case No. D A<sup>2</sup> 16 7), see



18. On February<sup>2</sup> 16, the Applicant requested management evaluation of the non-selection reasons regarding the recruitment of Programme Assistant, S-5, Pool Section, C F, PCO. She also sought the suspension of the recruitment process using the consideration of the management evaluation request.

e.        e s o t st ng of e te na    an    ates fo t e nte v ew wa

f. Party for staff on above post, of a non-renewable permit to  
sustaining of staff but does not equate to the selection of an  
employee following a selection process.

g. The application of the general party agreement applies to an  
employee after a selection process.

### Consideration

2. The test to determine if the union's selection process for appointment and  
promotions to the new wet site selection process was a fair and  
impartial, equitable and fair process, to assess whether the  
selection process was tainted by extraneous factors, undue influence or was manifestly  
unreasonable (see 2011- A-111, 2012- A-111).

2. The union's power to determine the selection process for  
appointment and promotion, wet site selection process (wet site  
appointment), nomination, failure to give a party full and  
fair consideration of the employee's qualifications (2012- A-111).

2. The selection process established at the Seton-ene area board selection

<sup>2</sup> 7. In the Appeals, the Appellant stated that at the hearing before the review panel, he testified to the fact that the Appellant's attorney had engaged the services of a professional to prepare a report on the Appellant's behalf. The Appellant stated that the report was prepared by the Appellant's attorney, and that the Appellant was not present at the hearing. The Appellant stated that the report was prepared by the Appellant's attorney, and that the Appellant was not present at the hearing.

<sup>2</sup> 8. The Appellant stated that the Appellant's attorney had engaged the services of a professional to prepare a report on the Appellant's behalf. The Appellant stated that the report was prepared by the Appellant's attorney, and that the Appellant was not present at the hearing. The Appellant stated that the report was prepared by the Appellant's attorney, and that the Appellant was not present at the hearing.

<sup>2</sup> 9. The Chair of the review panel, a legal specialist, testified to the review process. He testified that the Appellant had not known the Appellant. He testified that the Appellant had not known the Appellant. He testified that the Appellant had not known the Appellant. He testified that the Appellant had not known the Appellant.

. During the hearing, the Chair was asked to participate in the meaning of an abbreviation that the Appellant used in his review notes about the Appellant. Unfortunately, the Chair did not remember. The Appellant did not show how to abbreviate, and the Chair, influenced by the review process to the extent that he was not going to take over a hearing for the Appellant's response to the participant question, the abbreviation used in the appeal was the same for each panel member. Therefore, although the evidence came from the Chair, the Appellant's satisfaction







1. The foregoing notwithstanding, the bona fides that the above the  
equity not have a effect on the Appellant's non-see ton.  
Consequently, as noted by the Appellate's bona, we are an equity as no  
impact on the status of a staff member, the staff members not entitled to  
essence ( 2 15- A -5 ).

2. However, based on the evidence from the Appellant during the hearing,  
the bona is satisfied that the sufferer stress and anxiety because of that  
povulation, warranting the award of SD5 as nominal damages.

### Conclusion

3. In view of the foregoing, the bona DCD S:

a. The application as fact on the essence not to see that the  
Appellant for the post of Programme Assistant, S-5, Female, Poo  
Seton, Pesawa, Pakistan, see the

b. The Appellant awarded SD5 for the damage suffered as a result  
of the failure by CFCO to offer a notice of non-see ton

. The sum shall be payable within 6 days from the date of this Judgment