
UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2019/001

Judgment No.: UNDT/2019/040

Date: 12 March 2019

Original: English

Before: Judge Alexander W. Hunter, Jr.

Registry: New York

Registrar: Nerea Suero Fontecha

ELBAGHIR OSMAN

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

JUDGMENT

ON WITHDRAWAL

Counsel for Applicant:

Self-represented

Counsel for Respondent:

Elizabeth Gall ALD/OHR, UN Secretariat

Introduction

1. On 17 January 2019, the Applicant, a Senior Reviser at the P-5 level, step 7, filed an application on the merits in which he contests the decision to terminate his permanent appointment on the ground of unsatisfactory service.

2. The following day (18 January 2019), the Applicant filed a motion for interim measures

Procedure in which he requested the suspension of the contested decision.

3. Upon the instruction of the Tribunal, on 21 January 2019, the Respondent filed a response to the motion for interim measures.

4. By Order No. 16 (NY/2019) dated 22 January 2019, the Tribunal rejected the motion for interim measures.

5. On 18 February 2019, the Respondent duly filed his reply in which he submits that the application is not receivable as it is premature because it was filed before the Applicant had received the response to his request for management evaluation. Otherwise, the application was, in any event, without merits.

6. By Order No. 39 (NY/2019) dated 20 February 2019, the Tribunal ordered the Applicant to file his comments on the receivability of the application in response to the submissions thereon in the reply by 27 February 2019, noting that the Tribunal will thereafter proceed to determine this issue before considering the merits of the case.

Conclusion

9. Case No. UNDT/NY/2019/001 is closed.

(Signed)

Judge Alexander W. Hunter, Jr.

Dated this 12th day of March 2019

Entered in the Register on this 12th day of March 2019 12 792 reW*nBT/F1 12 Tf1 0 0 1 472.06 591.58 Tm0