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**Judgment No. 2023-UNAT-1355**



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<b>Before:</b>	<b>Judge John Raymond Murphy, Presiding</b> <b>Judge Dimitrios Raikos</b> <b>Judge Gao Xiaoli</b>
<b>Case No.:</b>	<b>2022-1709</b>
<b>Date of Decision:</b>	<b>30 June 2023</b>
<b>Date of Publication:</b>	<b>17 July 2023</b>
<b>Registrar:</b>	<b>Juliet Johnson</b>

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<b>Counsel for Appellant:</b>	<b>Varun Dewan</b>
<b>Counsel for Respondent:</b>	<b>Sylvia Schaefer</b>

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Procedure before the Appeals Tribunal

14. On 9 July 2022, Mr. Menon filed an appeal of the impugned Judgment with the Appeals Tribunal, to which the Secretary-General responded on 12 September 2022.





did not err in holding that the application was not receivable *ratione materiae* . The UNDT was accordingly not obliged to address the merits of the decision not to reclassify the post.

30. The appeal can be disposed of on this basis and there is therefore no need to consider whether the contested decision allegedly being intermediate in nature and not final (the reclassification being ongoing) was not an administrative decision also for that reason.

31. The appeal consequently cannot succeed.

32. The appeal is dismissed, and Judgment No. UNDT/2022/045 is hereby affirmed.

Original and Authoritative Version: English

Decision dated this 30<sup>th</sup> day of June 2023 in New York, United States.

(Signed)

Judge Murphy, Presiding

(Signed)

Judge Raikos

(Signed)

Judge Gao

Judgment published and entered in the Register on this 17<sup>th</sup> day of July 2023 in New York, United States.

(Signed)

Juliet Johnson, Registrar