



UNITED NATIONS TRIBUNAL

Case No.: UNDT/NBI/7

OrderNo.: 415(NBI/2

Date: 17 August

Original: English

Before: JudgeGoolak

Registry: Nairobi

Registrar: Lena Kw

KELAPILE

v.

SECRETARY GENERAL
OF THE UNITED NATIONS

CASE MANAGEMENT

Case for applicant:
D. U. A

Case for respondent:
S. D. R. OES/EC
C. M. OES/EC

8. The Applicant indicated that in the event that his employment was terminated he would be filing a fresh application together with a Motion to consolidate the two cases. The Respondent indicated that he would oppose such a motion. The Tribunal informed Counsel that it did not wish to deal with a hypothetical situation and will consider the matter if and when it arose.

9. It appeared to be common ground that a hearing in this matter was appropriate and the Tribunal indicated that in the event that an application was filed the issues would be considered at another CMD to be held as soon as practicable.

10. The Respondent informed the Tribunal that the results of the Applicant's complaint pursuant to ST/SGB/2008/5 on the Prohibition of Discrimination, Harassment, Including Sexual Harassment and Abuse of Authority "are being dealt with in New York."

11. Counsel for the Respondent clarified that, in the event that the request for management evaluation is unsuccessful the Applicant's current contract will expire on 1 September 2016 when his separation from the organisation will take effect.

12. Given the circumstances the Tribunal concluded that no useful purpose would be served by continuing with the CMD.

IT IS ORDERED THAT:

13. The Applicant is to inform the Tribunal, no later than Wednesday 24 August, whether he has received a response to his request for management evaluation.

14. The parties are given leave to file a Motion seeking leave to stay these proceedings for a defined period or for the resumption of the CMD. If no such Motion is filed the Tribunal will continue the CMD on the first available date after 24 August 2016.

