
UNDT/NBI/2019/088

Order No.: 082 (NBI/2019)

Date: 27 June 2019

Original: English

...e Nkemdilim Izuako

R

R

...rko

...ALBERT

...

Introduction

1. The Applicant filed the current application on 25 June 2016 seeking suspension of the decision by the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) not to extend his fixed-term appointment (FTA) beyond 30 June 2019.

2. The Respondent filed a reply on 26 June 2019 by which he submits that the application is moot because the Secretary-General has suspended the implementation of the contested decision pending management evaluation.

Facts

3. The Applicant is serving on an FTA with MONUSCO as a Generator Mechanic at the FS-4 level.

4.

Considerations

9. In *Kallon* 2017-UNAT-742, the United Nations Appeals Tribunal (the Appeals Tribunal) stated inter alia that

44. [...] Just as a person may not bring a case about an already resolved controversy (*res judicata*) so too he should not be able to continue a case when the controversy is resolved during its pendency. The doctrine accordingly recognizes that when a matter is resolved before judgment, judicial economy dictates that the courts abjure decision.

10. The Tribunal has before it emails from the CHRO and the Applicant, which were filed by the Respondent. The CHRO's email, dated 26 June 2019, alerts the Applicant to the suspension of his check-out process pending

