



B6 Judge Ebrahim-Carstens
Rg New York
Rgr Morten Albert Michelsen, Officer-in-Charge

SNIT

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER
ON WITHDRAWAL

(“CMD”) on 11 July 2014 to identify precisely the status and claims of each Applicant, the factual and legal issues arising therefrom, whether any claim was to be withdrawn, whether the individual claims should be severed, and any other relevant matters to ensure the most fair and expedient process with a view to judicial

may not be adjudicated twice (see *Shanks*2010-UNAT-026bis, *Costa*2010-UNAT-063, *El-Khatib* 2010-UNAT-066, *Beaudry*2011-UNAT-129). As stated in *Bangoura* UNDT/2011/202, matters that stem from the same cause of action, though they may be couched in other terms, are *res judicata* which means that the applicant does not have the right to bring the same complaint again.

11. The object of the *res judicata* rule is that “there must be an end to litigation” in order “to ensure the stability of the judicial process” (*Meron*2012-UNAT-198) and that a party should not have to answer the same cause twice. Once a matter has been resolved, a party should not be able to re-litigate the same issue. An issue, broadly speaking, is a matter of fact or question of law in a dispute between two or more parties which a court is called upon to decide and pronounce itself on in its judgment. Of course, a determination on a technical or interlocutory matter does not result in the final disposal of a case, and an order for

