





8. On 30 October 2020, the Respondent filed the reply (Case No. UNDT/NY/2020/042) in which he contends that the application is moot, and in any event, without merit.

9. On 18 December 2020, the Applicant filed a motion requesting this case to be considered by a three-judge panel (Case No. UNDT/NY/2020/042).

10. On 23 December 2020, the Applicant filed a motion for production of evidence (Case No. UNDT/NY/2020/042).

11. On 17 June 2021, the Applicant filed a second application in Tm0 g0 G[( )] TJET00.0000091

concerning the same subject matter and the same cause of action between the same parties where there is in substance one administrative decision” (*lis pendens*), and (b) the Applicant “has already contested the outcome of his request for compensation under Appendix D in the pending Cases Nos. UNDT/NY/2020/042 and No. UNDT/NY/2021/026”.

15. By Order No. 86 (NY/2021) dated 20 September 2021, ~~the~~ the Duty Judge of the Dispute Tribunal in New York granted the Respondent’s 16 September 2021 motion in Case No. UNDT/NY/2021/038.

18. In this regard, the Tribunal finds that the further handling of these questions would benefit from the Respondent filing updated submissions on receivability in Cases Nos. UNDT/NY/2020/042 and UNDT/NY/2021/026 in light of the Applicant's subsequent application(s). As in Case No. UNDT/NY/2021/038, the Applicant will then be allowed to file his observations thereon. The Tribunal will thereafter determine the question of receivability in all three cases on the papers on record.

IT IS ORDERED THAT:

19. By **4:00 p.m. on Thursday, 21 October 2021**, the Respondent is to file his updated submissions on receivability in separate filings in Cases Nos. UNDT/NY/2020/042 and UNDT/NY/2021/026. Each filing shall not exceed five pages, using Times New Roman, font 12 and 1.5 line spacing;

20. By **4:00 p.m. on Thursday, 4 November 2021**, the Applicant may file his observations in separate filings in Cases Nos. UNDT/NY/2020/042 and UNDT/NY/2021/026 in response to the Respondent's updated contentions of non-receivability. Each filing shall not exceed five pages, using Times New Roman, font 12 and 1.5 line spacing.

*(Signed)*

Judge Joelle Adda

Dated this 8<sup>th</sup> day of October 2021