	Case No.:	UNDT/NY/2022/001
UNITED NATIONS DISPUTE TRIBUNAL	Order No.:	034 (NY/2023)
	Date:	26 April 2023
	Original:	English

Before: Judge Joelle Adda

Registry: New York

Registrar: Isaac Endeley

PUMPYANSKAYA

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

_____

**ORDER
ON CASE MANAGEMENT**

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Counsel for Applicant:
Robbie Leighton, OSLA

Counsel for Respondent:
Lucienne Pierre, AS/ALD/OHR, UN Secretariat

Introduction

1.   By Order No. 015 (NY/2023) dated 24 February 2023, the Tribunal, *inter alia*, decided to suspend proceedings in this case   health condition improves, and instructed the Applicant to inform the Tribunal when it becomes clear that she is able to return to work.

2.   On 17 April 2023, the Respondent filed a motion to have receivability determined as a preliminary matter.

Consideration

3.   In his motion, the Respondent argues, *inter alia*, that in line with a recent ruling from UNAT in *O'Brien* 2023-UNAT-1313, the present application is not receivable *ratione materiae*. He claims that the contested decision is not a reviewable administrative decision because it does not have any direct effect on the Applicant, has no external legal effect, or directly or adversely impacts the

4.   The Tribunal is mindful that proceedings were suspended in order not to   expected hearing. Nevertheless, it   n only raises a question of law that can be dealt with by   Counsel without needing specific instructions from the Applicant. The Tribunal thus considers it appropriate to order   the   above-mentioned   motion.

5.   Additionally, the Tribunal considers it opportune to request the Counsel to provide an update on   current health condition.

IT IS ORDERED THAT:

6.   By **Wednesday, 17 May 2023**, Counsel for the Applicant shall:

a.

receivability determined as a preliminary matter; and

b.   Provide the Tribunal with

condition.

(Signed)

Judge Joelle Adda

Dated this 26th day of April 2023