



UNITED NATIONS DISPUTE TRIBUNAL

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Case No.:	UNDT/NY/2024/020
OrderNo.:	086(NY/2024)
Date:	23 July 2024
Original:	English

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Before: Duty Judge  
Registry: New York  
Registrar: Isaac Endeley

SINHA

v.

SECRETARY GENERAL  
OF THE UNITED NATIONS

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ORDER  
ON CASE MANAGEMENT

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Counsel for Applicant:  
George G. Irving

Counsel for Respondent:  
Elizabeth Gail BMS/OLS, UNDP

## Introduction

1. By application filed on 26 April 2024, the Applicant, a former staff member of the United Nations Development Programme (“UNDP”), contests the decision dated 1 February 2024 to separate her from service with compensation in lieu of notice and without termination indemnity.

2. On 28 May 2024, the Respondent filed a reply in which he contends that the application has no merit.

## Considerations

3. Pursuant to art. 19 of the Rules of Procedure of the Dispute Tribunal, the Tribunal may at any time issue an order or give any direction which appears to be appropriate for the fair and expeditious disposal of a case and to do justice to the parties. In the present case, the Tribunal considers it necessary to instruct the parties to file further submissions.

4. When examining the parties' submissions on facts, it is not clear to the Tribunal on what facts they actually agree and disagree. In this regard, the Appeals Tribunal has held that the Dispute Tribunal is not to make its own factual findings if the parties have agreed upon the facts.

6. To start with, the Tribunal notes ~~that~~ so far neither party has requested the production of any additional evidence, either written or oral. If either of the parties wishes such evidence to be produced, they are to specifically refer to the relevant documentation/witness and ~~clearly~~ clearly indicate what disputed fact the relevant evidence is intended to corroborate. In this regard, the Tribunal notes that the Appeals Tribunal has prohibited a ~~so~~ called “fishing expedition”, whereby one party requests the other party to produce evidence ~~in~~ “the most general terms” (see, for instance, Order No. 256 (2016)). A party requesting certain evidence must therefore be able to provide a certain degree of specificity to his ~~request~~ request.

7. Regarding written documentation, when perusing the case file, the Tribunal finds that it needs to understand the case better before deciding whether all relevant

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