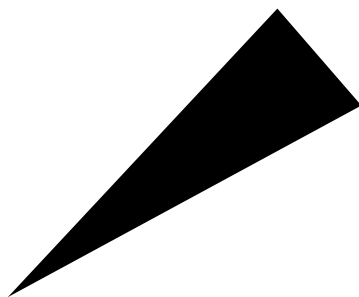


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that a decision has been made not to renew his appointment. He submits that he suffered

7. In the present case, the Applicant had requested the Tribunal to order a rescission of the decision not to renew his fixed-term appointment beyond 31 July 2019. This request was, effective 1 August 2019, satisfied by the Administration. The requested relief having been fully granted, there is no longer a justiciable matter before the Tribunal.

8. To the extent the Applicant's most recent filing indicates that he is not satisfied by short-term renewals of his appointment either, and that he suffered material harm as a result of short-term extensions, the Tribunal considers these grievances to be directed against a discrete decision, communicated to the Applicant expressly through the memorandum by MEU dated 23 September 2019, to refuse him a longer-term appointment. A new application to this effect might be hypothetically receivable, under the condition that the Applicant articulates the claim as such, indicates the requested duration of appointment and identifies a decision refusing it, moreover, that he follows the applicable procedure starting with submitting so identified decision for management evaluation. The present application, however, does not allow the allow

must occur in a context of peculiar circumstances.<sup>16</sup> The Tribunal does not find peculiar circumstances of the impugned decision, given that it never took effect and even as a purely formal matter was short-lived, as the system of correction worked promptly. In any event, the Applicant, invited by the Tribunal to submit evidence, did not offer any.<sup>17</sup>

10. Considering the aforesaid, the application is moot as to the main claim and unsubstantiated in respect of causing any damage.

### **JUDGMENT**

11. The application is dismissed in its entirety.

*(Signed)*

Judge Agnieszka Klonowiecka-Milart

Dated this 7<sup>th</sup> day of November 2019

Entered in the Register on this 7<sup>th</sup> day of November 2019

*(Signed)*

Abena Kwakye-Berko, Registrar, Nairobi

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<sup>16</sup> *Kallon* 2017-UNAT-742, at para. 62.

<sup>17</sup> Response pursuant to the Tribunal's Order No. 168 (NBI/2019).