



Case No.: UNDT/NY/2010/106

Judgment No.: UNDT/2011/114

Date: 24 June 2011

## Introduction

1.

contract after its expiry on 31 December 2010 is hereby granted, pending management evaluation.”

5. As noted above, the Applicant’s request for management evaluation was filed on 23 December 2010. Pursuant to staff rule 11.2(d), the Secretary General’s response was to be communicated to the Applicant within 45 calendar days of receipt of the request for management evaluation, given the staff member was stationed outside of New York. Thus, the response to the request for management evaluation should have been communicated to the Applicant by 7 February 2011. Following this, in accordance with staff rule 11.4(a), the Applicant had a period of 90 calendar days from the earlier of the date on which he received the outcome of the management evaluation or from the date of expiration of the deadline specified under staff rule 11.2(d). The date of expiration of the deadline specified under staff rule 11.2(d) was 9 May 2011.

6. The Tribunal has not received an application, a request for an extension of time to file one, nor any other correspondence, motion or pleadings from either party in this case. Further, the relief granted under Order No. 338 (NY/2010) is no longer operative; it was only granted during the pendency of management evaluation, which period is now over.

7. As noted by this Tribunal in *Saab-Mekkour* UNDT/2010/047 and *Monagas* UNDT/2010/074, an applicant must continue to have a legitimate interest in the maintenance of his or her proceedings. Moreover, as noted in *de la Fayette* UNDT/2010/037, it is in the Tribunal’s interest to ensure that only current proceedings are maintained before it. As this is no longer the case in this matter, the proceedings shall be closed.

## Conclusion

8. In light of the subsequent lack of prosecution of the proceedings, there is no matter for adjudication before the Tribunal. The case file is closed.

