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UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2019/001

Judgment No.: UNDT/2019/040

Date: 12 March 2019

Original: English

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**Before:** Judge Alexander W. Hunter, Jr.

**Registry:** New York

**Registrar:** Nerea Suero Fontecha

ELBAGHIR OSMAN

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**JUDGMENT**

**ON WITHDRAWAL**

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**Counsel for Applicant:**

Self-represented

**Counsel for Respondent:**

Elizabeth Gall ALD/OHR, UN Secretariat

## **Introduction**

1. On 17 January 2019, the Applicant, a Senior Reviser at the P-5 level, step 7, filed an application on the merits in which he contests the decision to terminate his permanent appointment on the ground of unsatisfactory service.

2. The following day (18 January 2019), the Applicant filed a motion for interim measures

Procedure in which he requested the suspension of the contested decision.

3. Upon the instruction of the Tribunal, on 21 January 2019, the Respondent filed a response to the motion for interim measures.

4. By Order No. 16 (NY/2019) dated 22 January 2019, the Tribunal rejected the motion for interim measures.

5. On 18 February 2019, the Respondent duly filed his reply in which he submits that the application is not receivable as it is premature because it was filed before the Applicant had received the response to his request for management evaluation. Otherwise, the application was, in any event, without merits.

6. By Order No. 39 (NY/2019) dated 20 February 2019, the Tribunal ordered the Applicant to file his comments on the receivability of the application in response to the submissions thereon in the reply by 27 February 2019, noting that the Tribunal will thereafter proceed to determine this issue before considering the merits of the case.



**Conclusion**

9. Case No. UNDT/NY/2019/001 is closed.

*(Signed)*

Judge Alexander W. Hunter, Jr.

Dated this 12<sup>th</sup> day of March 2019

Entered in the Register on this 12<sup>th</sup> day of March 2019 12 792 reW\*nBT/F1 12 Tf1 0 0 1 472.06 591.58 Tm0