



Case No.: UNDT/GVA/2023/017
Order No.: 096 (GVA/2023)
Date: 10 August 2023

Introduction

1. By application filed on 5 April 2023, the Applicant, a former staff member of the United Nations Children’s Fund (“UNICEF”), contests the decision to separate him from service for abandonment of post.
2. On 19 April 2023, the Respondent filed a motion with the Tribunal to have receivability determined as a preliminary matter.
3. On 20 April 2023, the Applicant requested permission to file a response to the Respondent’s motion by 28 April 2023.
4. On 21 April 2023, the Tribunal granted the Applicant’s request and ordered him to file a response to the motion to have receivability determined as a preliminary matter, which he did on 28 April 2023.
5. By Order No. 43 (GVA/2023) of 2 May 2023, the Tribunal rejected the Respondent’s motion to have receivability determined as a preliminary matter, and ordered him to file his full reply to the application by 24 May 2023.
6. On 23 May 2023, the Respondent filed his reply.
7. By Order No. 89 (GVA/2023) of 31 July 2023, the Tribunal instructed the Applicant to file relevant documentary evidence and a rejoinder on the Respondent’s reply by 10 August 2023, and invited the Respondent to file his comments on the Applicant’s new evidence and rejoinder by 21 August 2023.
8. On 7 August 2023, the Applicant filed a request for withdrawal of proceedings.

Consideration

9. In his motion, the Applicant informs the Tribunal that he has authorized his Counsel to formally withdraw his appeal with immediate effect. Specifically, he clarifies that he withdraws all allegations and claims in the present proceedings in finality, including on the merits.

10. Having reviewed the Applicant's motion, the Tribunal sees no obstacle to the withdrawal of the application.

11. The Applicant's clear and unequivocal withdrawal of his application requires no pronouncement on the merits and concludes the current matter before the Tribunal.

Conclusion

12. In view of the foregoing, it is ORDERED THAT there being no matter for adjudication by the Tribunal, Case No. UNDT/GVA/2023/017 be hereby closed without liberty to reinstate and struck from the Tribunal's docket.

(Signed)

Judge Sun Xiangzhuang

Dated this 10th