
UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2011/049

Order No.: 188 (NBI/2014)

Date: 24 July 2014

Original: English

Before: Judge Vinod Boolell

Registry: Nairobi

Registrar: Abena Kwakye-Berko

WAMALALA

v.

Introduction

to him was reasonable and did not constitute a violation of the rights of the Applicant. Indeed Ms. Wynn even went as far as stating that “if Mr. Hastie is willing to stipulate that it was reasonable for the Respondent to refuse the request, we would accept that stipulation in lieu of his testimony”. The Mr. Hastie steadfastly refused to do.

21. In view of the fact that Ms. Wynn decided to withdraw her request/motion without providing any reasons for her abrupt turnaround, the Tribunal concludes that she has, quite regrettably, prevented the expeditious hearing of this case and wasted the resources of the Tribunal. Additionally, the Tribunal finds that the request/motion was misconceived and Respondent was advised to withdraw it.

It is hereby ORDERED that:

22. Counsel for the Respondent’s request to withdraw her motion to examine Counsel for the Applicant is granted subject to the observations above.

23. The Tribunal will inform the parties whether it will require them to make any