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UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2022/120  
Order No.: 173 (NBI/2022)  
Date: 16 December 2022  
Original: English

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**Before:** Judge Agnieszka Klonowiecka-Milart

**Registry:** Nairobi

**Registrar:** Abena Kwakye-Berko

BISTA

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER ON AN APPLICATION FOR  
SUSPENSION OF ACTION PENDING  
MANAGEMENT EVALUATION**

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**Counsel for the Applicant:**

Manuel Calzada

**Counsel for the Respondent:**

Isavella Maria Vasilogeorgi, DAS/ALD/OHR, UN Secretariat

Maazatu Umar-Sadiq, DAS/ALD/OHR, UN Secretariat

## **Introduction**

1. The Applicant, an Engineer at the United Nations Support Mission in Libya ( UNSMIL ), filed an application on 13 December 2022 seeking suspension of what

approved for five days.<sup>5</sup>

8. On 8 December 2022, an UMSMIL Human Resources ( HR ) Assistant sent the Applicant an email notifying him of the checkout procedure applicable to his separation from service.<sup>6</sup> Part of the email from the HR Assistant states,

In connection with your separation from service *effective immediately as per the letter transmitted to you dated 28 November 2022* by DMSPC-OHR-ALD-Director, please find attached the separation from service memorandum together with the related forms pertaining to your separation.

Please comp

inconsistencies, illegalities, and injustice. Finally, the implementat

irregular for the Administration to allow the Applicant to render work and approve his leave after the sanctioning decision had been rendered, it was equally inappropriate of the Applicant to proceed on leave, even if in doubt as to the effective date of separation

