

Introduction

1. By Order No. 136 (NY/2019) dated 10 October 2019, the Tribunal ordered the parties to file their closing statements in the following order of sequence: 21 October 2019 (the Applicant), 28 October 2019 (the Respondent) and 1 November 2019 (the Applicant).

2. On 18 October 2019, the Respondent filed a motion to request that the time limit for filing his closing statement on 28 October 2019 be postponed until 8 November 2019 due to an urgent family matter of his Counsel. By email of the same date (18 October 2019), the Tribunal granted the Respondent's motion.

3. On 21 October 2019, the Applicant filed his closing statement and a motion for leave to amend the remedies sought in the application and to submit expert and medical evidence in support of the remaining remedies sought.

Consideration

4. The Tribunal observes that the Applicant's motion for leave to amend the remedies sought in the application and to submit expert and medical evidence in support of the remaining remedies sought is filed unduly late in the proceedings, namely after the proceedings have already been closed, and should have been filed much earlier.

5. The Tribunal, however, also notes that the Respondent would not appear to be prejudiced hereby as he will have the possibility to comment on the new evidence in his 8 November 2019 closing statement and, in any event, his Counsel does not appear to be available until 31 October 2019.

6. Considering the particular circumstances of the present case, and also art. 10.5(b) of the Dispute Tribunal's Statute, the Tribunal will therefore allow the Applicant's 21 October 2019 motion.

Case Nos. UNDT/NY/2015/063

Order No. 145