
Case No.: UNDT/NY/2010/038/
UNAT/1695
Judgment No.: UNDT/2010/126
Date: 20 July 2010



Facts

1. On 2 June 2009, the applicant submitted his statement of appeal to the United Nations Administrative Tribunal. The respondent submitted its answer on 4 December 2009.

2. On 1 January 2010, the case was transferred to the United Nations Dispute Tribunal upon the abolishment of the Administrative Tribunal, effective 31 December 2009, as decided by the General Assembly in its resolution 63/253 of 23 February 2009.

3. In Order No. 98 (NY/2010) of 20 April 2010, the Dispute Tribunal directed the parties to submit a joint submission outlining the main facts and issues of the case. On 17 May 2010, the applicant submitted the joint submission in which it was stated that the applicant had had a preliminary meeting with the Ombudsman's office on 4 May 2010 with a view to resolving the case through mediation.

4. On 19 July 2010, counsel for the applicant filed a submission stating –

... Acting as Counsel on behalf of the Applicant, [name of the applicant] I would like to withdraw his Application from consideration by the Dispute Tribunal.

As a result of information discussions with the Administration, it has been possible to amicably resolve and fully settle the issues of his case. The Applicant understands that he may not take any other action to bring proceedings before any tribunal or court of law in relation to his Application presently before the Dispute Tribunal.

Both the Applicant and the Administration feel that it is no longer necessary for any judgement to be rendered in the case and respectfully request that the Dispute Tribunal agree to the withdrawal of the Application.

Conclusion

5. In view of the informal resolution of the dispute and the withdrawal of the application, there is no longer any matter for adjudication before the Dispute Tribunal and the case is closed.

(Signed)

Judge Ebrahim-Carstens

Dated this 20th day of July 2010

Entered in the Register on this 20th day of July 2010

(Signed)

Hafida Lahiouel, Registrar, UNDT, New York