



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2023/017
Order No.: 121 (NBI/2023)
Date: 24 July 2023
Original: English

Before: Judge Sean Wallace, Duty Judge
Registry: Nairobi
Registrar: Abena Kwakye-Berko

ASLAM

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER ON CASE MANAGEMENT

Counsel for the Applicant:
Manuel Calzada

Counsel for the Respondent:
Nicole Wynn, ALD/OHR, UN Secretariat
Fatuma Mninde-Silungwe, ALD/OHR, UN Secretariat

Introduction

1. The Applicant is a former Chief Procurement Officer at the P-5 level with the African Union/United Nations Hybrid Operation in Darfur (“UNAMID”). On 24 April 2023, he filed an application contesting the 15 August 2022 decision of the Controller to endorse the recommendation of the Advisory Board on Compensation Claims (“ABCC”) to deny his claim for compensation.

2. The Respondent filed a reply on 12 June 2023 in which he seeks dismissal of the application on the basis that the Applicant failed to provide the evidence necessary to support his claim.

Case management

3. Pursuant to art. 19 of the Rules of Procedure of the Dispute Tribunal, the Tribunal may at any time issue an order or give any direction which appears to be appropriate for the fair and expeditious disposal of a case and to do justice to the parties.

4. Having taken into consideration the pleadings of the parties, the Tribunal has concluded that the Applicant should be given an opportunity to comment on the Respondent’s reply. Should further clarification be required, the parties will be informed of the date for a case management discussion (“CMD”) once the case is assigned to a judge for adjudication.

ORDERS

5. On or before 10 August 2023, the Applicant shall provide a response to the Respondent’s reply, with a specific focus on paragraphs 21 to 24 and state whether he wishes to adduce evidence, from documents or persons for the contested facts. In the latter case, the submission must clearly indicate the disputed facts, their relevance, and the means of proof. Absent an evidentiary submission, the Tribunal shall deem that the parties agree for it to proceed to judgment based on the record before it.

6. The submission shall not exceed five pages, in front Times New Roman, font size 12, line spacing of 1.5 lines.

(Signed)

Judge Sean Wallace

Dated this 24th day of July 2023

Entered in the Register on this 24th day of July 2023

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi