



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2023/076
Order No.: 158 (NBI/2023)
Date: 10 October 2023
Original: English

Before: Judge Solomon Areda Waktolla, Duty Judge

Registry: Nairobi

Registrar: Eric Muli, Officer-in-Charge

EBERLEIN III

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON A MOTION FOR
EXTENSION OF TIME TO FILE AN
APPLICATION**

Counsel for the Applicant:

Self-represented

Counsel for the Respondent:

United Nations Development Programme

Background

1. The staff member who is the subject of the present Motion for Extension of Time to File an Application was serving with the United Nations Development Programme in Baghdad, Iraq.
2. The staff member was separated from service of the Organization on 3 March 2023, for abandonment of post (“the impugned decision”).
3. On 4 October 2023, he filed the subject motion of this Order for extension of time to file an application before the United Nations Dispute Tribunal sitting in Nairobi to challenge the impugned decision.

Considerations

4. The Tribunal has reviewed the staff member’s submissions and takes the view that the Applicant should be afforded the opportunity to submit his application challenging the merits of the impugned decision.
5. Following the impugned decision, the staff member has not been able to retain counsel. The Tribunal is of the opinion that retaining representation by counsel would be in the interest of both the staff member and the efficient conduct of proceedings in this matter.
6. Article 8.3 of the Statute of the Dispute Tribunal read together with art. 35 of the Tribunal’s Rules of Procedure afford the court the power to shorten or extend time limits where the interests of justice so require.
7. The circumstances pleaded by the staff member has persuaded the Tribunal that it would be in the interest of justice to grant the additional time that has been sought.

ORDER

8. The Motion for Extension of Time to File an Application is **GRANTED as requested.**

9. The Tribunal **DIRECTS** the Registry to serve this Order on the Office of Staff Legal Assistance for their consideration.

(Signed)

Judge Solomon Areda Waktolla

Dated this 10th day of October 2023

Entered in the Register on this 10th day of October 2023

(Signed)

Eric Muli, Officer-in-Charge, Nairobi