



UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Case No. 2012-351

Ghatalia (Appellant)

v.

**Commissioner-General of the
United Nations Relief and Works Agency
for Palestine Refugees in the Near East
(Respondent)**

ORDER No. 99 (2012)

1. On 24 July 2012, the Registry received a request from Mr. Nanak Ghatalia for a 15-day extension to appeal Judgment No. UNRWA/DT/2012/027 issued by the Dispute Tribunal of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA DT) on 24 June 2012. Mr. Ghatalia mistakenly thought that he had to appeal the UNRWA DT Judgment by 8 August 2012 within 45 days. On 31 July 2012, the Registry advised Mr. Ghatalia that at that point in time there was no need for any extension as he had sixty days, until 23 August 2012, within which to file his appeal. But on 20 August 2012, he resubmitted his extension request, this time, for an unspecified period.
2. Also on 20 August 2012, Mr. Ghatalia filed another request for an extension of time limit for an unspecified period for an appeal of Order No. 016 (UNRWA DT 2012) issued by the UNRWA DT on 2 July 2012.
3. Mr. Ghatalia bases his two extension requests on the grounds that he can not appeal either the Judgment or the Order at the present time because “the matter of recusal” that he had raised against the UNRWA DT Judge “has not been determined as yet by the appropriate authority”, and that “[he is] busy with several time bound matters involving UNRWA and [his] personal matters”.

4. Pursuant to Article 7(3) of the Statute, “[t]he Appeals Tribunal may decide in writing, upon written request by the applicant, to suspend or waive the deadlines for a limited period of time and only in exceptional cases”.

5. Having considered the circumstances of Mr. Ghatalia’s case, I find no merit in his requests. The Appeals Tribunal is not aware of the “matter of recusal”. As far as this Tribunal is concerned, both Judgment No. UNRWA/DT/2012/027 and Order No. 016 (UNRWA DT 2012) stand, but subject to appeal within the applicable time limits. Mr. Ghatalia can certainly raise, in his appeals, all the issues and concerns including the impartiality of the UNRWA DT Judge and the validity of the said Judgment and Order. Mr. Ghatalia knew by the end of July that he had more than three weeks, until 23 August 2012, to appeal. He had time and the responsibility to organize his personal affairs so as to file his appeals within the statutory time limits.

6. For the foregoing reasons, I reject Mr. Ghatalia’s requests. However, since both the 60-day deadline for appeal of judgments and the 30-day deadline for appeal of orders have expired in the present case, in the interest of equity and fairness, I exceptionally waive these time limits and grant Mr. Ghatalia five working days from receipt of this Order within which to file his appeals of Judgment No. UNRWA/DT/2012/027 and Order No. 016 (UNRWA DT 2012), if he wishes to do so.

Original and Authoritative Version: English

Dated 24th day of August 2012 in Montevideo,
Uruguay.

(Signed)
Judge Luis María Simón, President

Entered in the Register on this 24th day
of August 2012 in New York, United States.

(Signed)
Weicheng Lin, Registrar