



UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Cases No. 2014-561

Khan
(Applicant)

v.

Secretary-General of the United Nations
(Respondent)

ORDER No. 170 (2014)

1. On 12 November 2013, the United Nations Dispute Tribunal (UNDT or Dispute Tribunal) in New York rendered Judgment No. UNDT/2013/140 in the case of *Khan v. Secretary-General of the United Nations*. Mr. Alamgeer Khan states that he received the said Judgment on 13 November 2013. Under Article 7(1) of the Statute of the Appeals Tribunal (Statute), he has 60 days to appeal.

2. On 10 January 2014, Mr. Khan filed a request for at least a 15-day extension of the time limit to submit his appeal of Judgment No. UNDT/2013/140. Mr. Khan states that he is in the process of preparing his appeal and he is seeking the extension of time because the “[v]oluminous of [sic] documents and complexities of the case deserve a thorough review of the whole as well as an in-depth consultation with the proposed Counsel who is currently out of station ...”.

3. Under 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”. Article 7(2) of the Appeals Tribunal Rules of Procedure (Rules) sets forth the manner in which an appellant should submit a written request for a waiver of a time limit, and Article 30 of the Rules allows this Tribunal to shorten or extend a time limit “when the interests of justice so require”.

4. Mr. Khan seeks an extension of time to appeal Judgment No. UNDT/2013/140, which dismissed his challenge of the decision “to separate him from service with compensation in lieu of notice and without termination indemnity [from the World Food Programme] following a finding that he had engaged in misconduct. ...”. Considering the complexity of the case before the UNDT, which issued a detailed 41-page judgment, this Tribunal finds that the “interests of justice” require the granting of Mr. Khan’s request for a limited 15-day extension of time so that he has a fair opportunity to fully present his case. Thus, Mr. Khan’s request should be granted.

5. IT IS HEREBY ORDERED that Mr. Khan’s request for an extension of time to file his appeal is GRANTED, and the appeal form and appeal brief shall be filed **no later than 3 February 2014**. No further requests for extension of time will be entertained.

Original and Authoritative Version: English

Dated this 20th day of January 2014
in Los Angeles, United States.

(Signed)
Judge Rosalyn Chapman,
Duty Judge

Entered in the Register on this 21st day of January
2014 in New York, United States.

(Signed)
Weicheng Lin, Registrar