



UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Case Nos. 2015-787 through 2015-797, 2015-800 through 2015-814, 2015-816 through 2015-818, 2015-827 to 2015-828, 2015-832 to 2015-833 and 2015-835 through 2015-838

Thomas *et al.*

vs.

Secretary-General of the United Nations

ORDER No. 252/Corr.1 (2016)

Case Management - Consolidation

1. On 24 March 2015, the United Nations Dispute Tribunal (UNDT or Dispute Tribunal) in Geneva issued Summary Judgment No. UNDT/2015/026, in respect of 111 individual applications filed by staff members of the United Nations Children's Fund (UNICEF) based in India, in which they challenged a local salary survey and the resulting salary freeze. The UNDT consolidated the 111 applications and issued a single judgment addressing them, as they "concern[ed] identical decisions, rel[ied] on common facts and raise[d] the same questions of fact and law". The Dispute Tribunal concluded the 111 applications were not receivable *ratione materiae*.

2. Of the 111 applicants, George Thomas, Manish Khetawat, Tarun Arora, Chander B. Dhoundiyal, George Poulouse, Piyush Choudhary, Siddharth Kumar Mohanty, Mallesh Bazar, Smita Sinha, Sheena George, Rashim Bhagotra, Beena Sudin Pillai, Rajender Prasad Sharma, Shikha Wadhwa, Jaishankar Vridhaigi, Sukanya Subramanian, Bhuvanewari Arun Kumar, Pankaj Mathur, Isolene Donna Rebello, Manisha Chawla, Mamta Das, Koushik Kumar Nag, Sony Abraham, Swati Mohapatra, Tulsi Vinod Kumar, Aviral Vikas Bartar, Suman Yashwant Karkera, Fiona Rodrigues, Meena Ganesh, Soumik Sinha, Gautam Das, Uttam Kumar Behera, Pallikaranai Thirumalai Seshadri, Jaiprakash Dhanesh Yadav, Monica Gupta, Ravindran Narayan and Imran Khan (Thomas *et al.*) have filed separate, almost identical appeals against Judgment No. UNDT/2015/026.

Reissued for technical reasons on 2 March 2016.

3. On 9 September 2015, the Secretary-General submitted a consolidated answer to the 37 appeals filed by Thomas *et al.*¹

4. Article 18*bis*, subsection 1, of the Appeals Tribunal Rules of Procedure, provides that “[t]he President may, at any time, either on a motion of a party or on his or her own volition, issue any order which appears to be appropriate for the fair and expeditious management of the case and to do justice to the parties”.

5. In light of the fact that all the appeals before us challenge the same UNDT Judgment - Summary Judgment No. UNDT/2015/026 - and the UNDT had consolidated the staff members’ applications based on their employment affiliation, the Appeals Tribunal finds that it is “appropriate for the fair and expeditious management of the case and to do justice to the parties” to consolidate these 37 appeals for all purposes.

IT IS HEREBY ORDERED that the appeals filed by Thomas *et al.*, case Nos. 2015-787 through 2015-797, 2015-800 through 2015-814, 2015-816 through 2015-818, 2015-827 to 2015-828, 2015-832 to 2015-833 and 2015-835 through 2015-838 should be consolidated for all purposes.

IT IS FURTHER ORDERED that any further filings and submissions by any of the parties should be filed under case No. 2015-787, the first of the 37 appeals filed, and that any orders and judgment in this consolidated matter will be issued under case No. 2015-787.

Original and Authoritative Version: English

Dated this 19th day of January 2016
in Los Angeles, California.

(Signed)
Judge Rosalyn Chapman,
President

Entered in the Register on this 19th day of
January 2016 in New York, United States.

(Signed)
Weicheng Lin, Registrar

¹ The Secretary-General is admonished for filing a consolidated answer without the prior permission of the Appeals Tribunal; it is not the Secretary-General’s prerogative, as a party. The Registry should not have filed the consolidated answer, and the Secretary-General is advised that, in the future, a consolidated answer will not be filed by the Registry without an order from the Tribunal allowing such filing.