



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2011/010

Judgment No.: UNDT/2011/030

Date: 4 February 2011

Original: English

**Before:** Judge Goolam Meeran

**Registry:** New York

**Registrar:** Santiago Villalpando

GUEVARA

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**JUDGMENT**

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**Counsel for Applicant:**

Matthew Cabrera

**Counsel for Respondent:**

Stephen Margetts, ALS/OHRM, UN Secretariat

## **Introduction**

1. On 27 January 2011, the Applicant submitted an application for suspension of action under art. 2.2 of the Statute of the Dispute Tribunal. She had separated from service and was awaiting finalization of her pension and other benefits. She complained about the delay.

2. Applications for suspension of action are requests for interim relief and have to be dealt with on an urgent basis. The hearing was set for 2 p.m. on Tuesday, 1 February 2011.

3. It was clear from the reply filed by the Respondent that the Administration was actively pursuing certain administrative steps to expedite the completion of the necessary administrative processes.

4. In the circumstances, and taking into account the contents of the application and reply, it was considered prudent to give the parties time and opportunity to work towards a speedy resolution without the pressure of an imminent hearing which would alter their focus from resolution to confrontation. They were encouraged to make a joint request for a postponement of the hearing.

5. The parties' joint request for a postponement of the hearing to 4 p.m. on Wednesday, 2 February 2011, was granted.

6. A joint notice to the Tribunal, indicating that the issues in contention had been satisfactorily resolved, was received prior to the hearing, and the Applicant's representative subsequently confirmed that the application for suspension of action was formally withdrawn.

**Conclusion**

7. This application for suspension of action is dismissed upon withdrawal by the Applicant.

*(Signed)*

Judge Goolam Meeran

Dated this 4<sup>th</sup> day of February 2011

Entered in the Register on this 4<sup>th</sup> day of February 2011

*(Signed)*

Santiago Villalpando, Registrar, UNDT, New York