



Before: Judge Agnieszka Klonowiecka-Milart

Registry: Nairobi

Registrar: Abena Kwakye-Berko

ELTATAWI

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

JUDGMENT ON WITHDRAWAL

Counsel for the Applicant:

Evelyn W. Kamau, OSLA

Counsel for the Respondent:

Nicole Wynn, AAS/ALD/OHR

Nusrat Chagtai, AAS/ALD/OHR

Introduction

1. On 12 July 2019, the Applicant, a former FS-4 Security Officer with the United Nations Mission in South Sudan (UNMISS), filed an application before the Dispute Tribunal challenging a delay in the payment of his salary and other benefits and entitlements.
2. The Respondent was directed to file his reply by 14 August 2019.
3. By motion dated 5 August 2019, the parties informed the Tribunal that the Applicant's management evaluation request was still pending and that in the context of the management evaluation process, they were making good faith efforts to informally resolve the dispute. Accordingly, the parties jointly requested suspension of the proceedings for 60 days from the current deadline for the reply and to extend the date for reply to 14 October 2019.
4. On 5 August 2019, the Tribunal granted the parties' motion and stayed the proceedings until 14 October 2019.
5. On 26 September 2019, the Applicant filed a motion for leave to withdraw the application stating that an amicable settlement had been reached by the parties and the Applicant had signed a release form on 17 September 2019. The Applicant further stated that pursuant to the terms and conditions of the settlement agreement, he was seeking leave to withdraw the Application.

Consideration

6. The Tribunal commends the parties for their successful *inter partes* settlement negotiations.

JUDGMENT

7. As the Applicant has withdrawn the application, there being no matter remaining for adjudication by the Dispute Tribunal, Case No. UNDT.NBI/2019/103 is hereby closed.

(Signed)

Judge Agnieszka Klonowiecka-Milart
Dated this 27th day of September 2019

Entered in the Register on this 27th day of September 2019

(Signed)

Shamila Unnikrishnan, Legal Officer, for,
Abena Kwakye-Berko, Registrar, Nairobi