



**Before:** Judge Rowan Downing

**Registry:** Geneva

**Registrar:** René M. Vargas M.

UTAMI

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER**

**ON WITHDRAWAL**

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**Counsel for Applicant:**

Mariam Munang, OSLA

**Counsel for Respondent:**

Alexandre Tavadian, UNHCR

## **Introduction**

1. On 28 December 2016, the Applicant filed an application for suspension of action seeking to suspend, pending management evaluation, the decision not to renew her fixed-term appointment upon its expiration on 31 December 2016.

2. By Order No. 247 (GVA/2106), the Tribunal issued an interim order suspending the implementation of the decision not to renew the Applicant's fixed-term appointment upon its expiration on 31 December 2016, pending the final determination of the application for suspension of action.

3. The Respondent filed his reply to the request for suspension of action on 30 December 2016, stressing that he would not implement the decision to separate the Applicant from service until the completion of her performance appraisal, and if necessary, until the completion of the rebuttal process. The Respondent further argued that in light of his undertaking not to implement the contested decision pending the outcome of the management evaluation request, the application for suspension of action was moot.

4. On the same day, the Applicant filed a motion seeking withdrawal of her application for suspension of action.

## **Consideration**

5. The Tribunal sees no obstacle to the withdrawal of the case. Since the application has been withdrawn, there is no longer any matter for adjudication by the Tribunal.

6. The foregoing notwithstanding, the Tribunal finds it appropriate to commend the Respondent for having taken corrective action in this matter at the first opportunity upon review of the issues by his legal counsel.

**Conclusion**

7. In view of the foregoing, it is ORDERED that Case No. UNDT/GVA/2016/112 be closed.

*(Signed)*

Judge Rowan Downing

Dated this 4<sup>th</sup> day of January 2017

Entered in the Register on this 4<sup>th</sup> day of January 2017

*(Signed)*

René M. Vargas M., Registrar, Geneva