



Before: Judge Teresa Bravo

Registry: Geneva

Registrar: René M. Vargas M.

LAPPER

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON MOTION FOR WITHDRAWAL**

Counsel for Applicant:

Robbie Leighton, OSLA

Counsel for Respondent:

Jérôme Blanchard, LPAS, UNOG

Introduction

1. The Applicant, a staff member of the Office of the High Commissioner for Human Rights, contests the decision to recover an overpayment part of the dependency allowance that he received for his children.

Procedural background

2. On 15 October 2021, the Applicant filed the application mentioned in para. 1 above. The Respondent was expected to file his reply by 17 November 2021.

3. By a joint motion filed on 15 November 2021, the parties informed the Tribunal that “discussions on a possible settlement of the Applicant’s claim are ongoing”. Consequently, they requested suspension of the proceedings pending their informal discussions.

4. By Order No. 169 (GVA/2021) of 16 November 2021, the Tribunal suspended the proceedings and the deadline for the Respondent’s reply until 17 December 2021 to allow the parties to resolve this matter amicably.

5. By another joint motion filed on 16 December 2021, the parties requested a further suspension of the proceedings of one month pending their informal discussions.

6. By Order No. 182 (GVA/2021) of 17 December 2021, the Tribunal granted the parties’ motion and ordered that the proceedings and the deadline for the Respondent’s reply be further suspended until 17 January 2022.

7. On 17 January 2022, the Respondent filed his reply.

8. On 14 March 2022, the present case was assigned to the undersigned Judge.

9. On 17 March 2022, the Applicant filed a motion for withdrawal, informing the Tribunal that negotiations had borne fruit.

Consideration

10. Considering that amicable settlement of disputes is encouraged and is important, especially in circumstances where there is an ongoing employment relationship, the Tribunal commends both parties for their good faith efforts in resolving this case amicably by mutual agreement.

11. Having reviewed the Applicant's motion, the Tribunal sees no obstacle to the withdrawal of the application. As the matter has now been settled by a mutual agreement, there is no longer any matter for adjudication before the Tribunal.

Conclusion

12. In view of the foregoing, it is ORDERED THAT Case No. UNDT/GVA/2021/009 be hereby closed and struck from the Tribunal's docket.

(Signed)

Judge Teresa Bravo

Dated this 21st day of March 2022

Entered in the Register on this 21st day of March 2022

(Signed)

René M. Vargas M., Registrar, Geneva