



Before: Judge Sun Xiangzhuang

Registry: Geneva

Registrar: René M. Vargas M.

SHERALOV

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON CASE MANAGEMENT**

Counsel for Applicant:

Viacheslav Mysak

Counsel for Respondent:

Isavella Maria Vasilogiorgi, DAS/ALD/OHR, UN Secretariat

Introduction

1. By Order No. 125 (GVA/2023) of 20 September 2023, the Tribunal instructed the parties, *inter alia*, to file their respective closing submission by 2 October 2023.
2. On 1 October 2023, the Applicant filed his closing submission with four annexes.
3. On 2 October 2023, the Respondent filed his closing submission. He also requested the Tribunal to disregard “three new documents” attached to the Applicant’s closing submission, which in his view constitute new evidence.

Consideration

4. The Tribunal acknowledges that, in general, the parties shall file their closing submissions based solely on the submissions and evidence already before it (see, e.g., *Survo* 2015-UNAT-595, para. 58). Nevertheless, under art. 18.2 of the Tribunal’s Rules of Procedure, it may order the production of evidence for either party at any time.
5. To the extent that the newly adduced evidence is relevant to the present case, the Tribunal finds it appropriate to admit it into case record.
6. In line with the principle of equality of arms, the Tribunal finds it appropriate and in the interest of justice to grant the Respondent an opportunity to comment on the new evidence attached to the Applicant’s closing submission.

Conclusion

7. In view of the foregoing, it is ORDERED THAT the Respondent shall file his comments on the Applicant’s new evidence by **Wednesday, 11 October 2023**.

(Signed)

Judge Sun Xiangzhuang

Dated this 6th day of October 2023

Case No. UNDT/GVA/2022/037

Order No. 134 (GVA/2023)

Entered in the Register on this 6th day of October 2023

(Signed)

René M. Vargas M., Registrar, Geneva