



Before: Duty Judge
Registry: Geneva
Registrar: René M. Vargas M.

SAMARASINHA

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON CASE MANAGEMENT**

Counsel for Applicant:
Manuel Calzada

Counsel for Respondent:
Elizabeth Gall, UNDP

Introduction

1. The Applicant contests the 1 December 2023 decision to place him on Administrative Leave Without Pay (“ALWOP”).
2. In his reply, the Respondent challenges the receivability of the application with respect to decisions taken prior to 1 December 2023, which placed the Applicant on Administrative Leave With Pay (“ALWP”) and extended such leave. The Respondent also argues that the application has no merit.
3. On 6 August 2024, the Applicant filed a motion seeking the production of the final investigation report of the Office of Internal Oversight Services on allegations against him, which, in his view, forms the basis for his placement on ALWP and, subsequently, on ALWOP.

Consideration

Filing of a rejoinder and the Applicant’s 6 August 2024 motion

4. Having perused the case file, the Tribunal considers it appropriate and in the interest of justice to direct:
 - a. The Applicant to file a rejoinder, where he should particularly address the receivability challenge that the Respondent raised in his reply; and
 - b. The Respondent to respond to the Applicant’s 6 August 2024 motion.

Amicable settlement

5. Recalling that the General Assembly has consistently encouraged alternative dispute resolution, the Tribunal finds it also appropriate to encourage the parties to explore the possibility of having the dispute between them resolved without recourse to further litigation.

Conclusion

6. In view of the foregoing, it is ORDERED THAT:

- a. **By Wednesday, 14 August 2024**, the Respondent shall file his response to the Applicant's 6 August 2024 motion;
- b. **By Friday, 30 August 2024**, the Applicant shall file a rejoinder; and
- c. The parties shall explore resolving the dispute amicably and revert to the Tribunal in this respect by **Friday, 6 September 2024**.

(Signed)

Judge Sun Xiangzhuang (Duty Judge)

Dated this 6th day of August 2024

Entered in the Register on this 6th day of August 2024

(Signed)

René M. Vargas M., Registrar, Geneva