



**Before:** Judge Sun Xiangzhuang

**Registry:** Geneva

**Registrar:** René M. Vargas M.

SOOBRAYAN

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

---

**ORDER  
ON CASE MANAGEMENT**

---

**Counsel for Applicant:**

Robbie Leighton, OSLA

**Counsel for Respondent:**

Alister Cumming, UNICEF

## **Introduction**

1. By Judgment *Soobrayan* UNDT/2023/063, this Tribunal adjudicated Case No. UNDT/GVA/2022/007 (*Soobrayan*). The Respondent appealed said Judgment before the United Nations Appeals Tribunal (“UNAT” or the “Appeals Tribunal”).
2. By Judgment *Soobrayan* 2024 UNAT 1469/Corr.1, the Appeals Tribunal partially reversed the above UNDT Judgment and remanded the case for a hearing *de novo* in relation to two incidents.
3. On 14 August 2024, the remanded case, registered under Case No. UNDT/GVA/2022/007/R, was assigned to the undersigned Judge.
4. By Order No. 95 (GVA/2024), the Tribunal invited the parties to a virtual Case Management Discussion (“CMD”), which took place via Microsoft Teams on 27 August 2024.

## **Consideration**

5. During the CMD, the parties introduced some of the legal issues in this case, identified potential witnesses for a hearing on the merits and discussed potential hearing dates. The Judge also encouraged the parties to explore amicable settlement.
6. As agreed at the CMD, the parties are instructed to clearly identify in writing any potential and relevant witnesses for a formal hearing on the merits limited to the two incidents that UNAT remanded. In their submission, the parties shall also explain the relevance of each testimony for the determination of the issues under dispute.
7. The parties are also instructed to confirm the availability of each witness to virtually attend a hearing on the merits on any date between 23 September and 4 October 2024, starting at 2 p.m. (GVA time).

8. Furthermore, the parties are encouraged to explore alternative dispute resolution via an amicable settlement, reverting back to the Tribunal in this respect by the prescribed deadline below.

**Conclusion**

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

a. The parties shall identify the relevant witnesses to a hearing on the merits and confirm their availability to virtually attend it at the proposed dates, as per paras. 6 and 7 above, by **Friday, 6 September 2024**; and

b. The parties shall revert to this Tribunal about amicable settlement discussions, as per para. 8 above, by **Friday, 20 September 2024**.

*(Signed)*

Judge Sun Xiangzhuang

Dated this 28<sup>th</sup> day of August 2024

Entered in the Register on this 28<sup>th</sup> day of August 2024

*(Signed)*

René M. Vargas M., Registrar, Geneva