



UNITED NATIONS DISPUTE TRIBUNAL

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Case No.: UNDT/NBI/2009/036  
Order No.: UNDT/NBI/O/2010/52  
Date: 31 March 2010  
Original: English

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**Before:** Judge Vinod Boolell, Presiding  
Judge Nkemdilim Izuako  
Judge Goolam Meeran

**Registry:** Nairobi

**Registrar:** Jean-Pelé Fomété

TADONKI

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER**

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**Counsels for applicant:**

Robert Amsterdam, Solicitor, Amsterdam & Peroff LPP  
Katya Melliush, Office of Staff Legal Assistance  
Geoff Gelbrat, 1 Gray's Inn Square  
Andrew Durkovic, Amsterdam & Peroff LLP

**Counsel for respondent:**

Steven Dietrich, Administrative Law Unit (ALU)  
Stephen Margetts, ALU

Having considered the application made by the Applicant of 2 March 2010 to seek interim relief pursuant to Article 14 of the Rules of Procedures and the reasons put forward, the Tribunal takes the view that it has the power under such article to grant the interim relief prayed for.

In his application, the Applicant requests the sum of two (2) months' net base salary as an interim award to provide him with urgently needed financial relief. He avers that he has had to pay several medical expenses in view of his deteriorating health conditions and that he is presently facing severe financial difficulties.

In his reply of 2 March 2010 followed by a corrigendum dated 3 March 2010, the Respondent opposes the application on the ground that the Applicant has been duly disbursed his salary, benefits and entitlements, and that all payments have been made to him to date. The Respondent further argues that the Applicant has been duly informed of the status of his salary payments and other entitlements by email dated 15 December 2009 and was duly compensated for the period of January 2009 to February 2010. The Respondent further states that payment of the outstanding balance owing to the Applicant in respect of his rental subsidy in Harare will be made promptly.

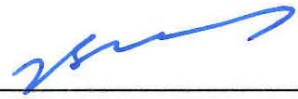
The Tribunal further notes that the present application is a prayer to deal with a specific situation, namely financial assistance as a consequence of the situation in which the Applicant was left following the termination of his employment with OCHA.

In the light of the foregoing, it is hereby DECIDED that:

1. The Tribunal grants the application and directs the Respondent to pay the Applicant an amount of two (2) months' net base salary.
2. The Tribunal further directs that this sum should be disbursed within seven days of the Applicant signing an undertaking to repay any sums which may be due to the Respondent upon judgment being given by the Tribunal.

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Judge Vinod Boolell

Dated this 31<sup>st</sup> day of March 2010

Entered in the Register on this 31<sup>st</sup> day of March 2010



Jean-Pelé Fomété, Registrar, UNDT, Nairobi