



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2014/0016

Order No.: 096 (NBI/2014)

Date: 12 May 2014

Original: English

Before: Judge Vinod Boolell

Registry: Nairobi

Registrar: Abena Kwakye-Berko

ZEITOUNI

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON APPLICANT'S MOTION
TO WITHDRAW**

Counsel for the Applicant:

Marissa MacLennan, OSLA

Counsel for the Respondent:

Steven Dietrich, ALS/OHRM

Nicole Wynn, ALS/OHRM

Introduction

1. The Applicant is a staff member of the Economic and Social Commission for Western Asia (ESCWA). He is serving as a mail assistant at the GS-4 level on a permanent contract. He filed the current Application on 28 February 2014 challenging the decision to abolish his post.

2. The Respondent submitted his Reply on 4 April 2014, in which he asserted, *inter alia*, that the Application was not receivable for the following reasons: (a) the Dispute Tribunal lacks authority to review the General Assembly's decision to abolish the Applicant's post; (b) the Applicant failed to file a request for management evaluation; and (c) identification of the Applicant's post for abolition does not constitute a final appealable administrative decision.

3. The Applicant was afforded the opportunity to provide his comments on receivability to the Tribunal, which he did on 29 April 2014.

4. On 9 May 2014, the Applicant filed a motion to withdraw his Application on the basis that he had signed a Memorandum of Understanding on 8 May 2014 resolving the dispute.

Order

5. The Tribunal congratulates and commends the Parties for having resolved this dispute efficiently and expeditiously.

6. The Tribunal hereby records the contents of the Applicant's Motion and orders that the matter of *Zeitouni v. Secretary-General of the United Nations* (Case No. UNDT/NBI/2014/016) be struck off the Court's docket.

(Signed)

Judge Vinod Boolell

Dated this 12th day of May 2014

Entered in the Register on this 12th day of May 2014

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi