



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2014/015

Order No.: 101 (NBI/2014)

Date: 13 May 2014

Original: English

**Before:** Judge Vinod Boolell

**Registry:** Nairobi

**Registrar:** Abena Kwakye-Berko

NAHHAS

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

---

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

---

**Counsel for the Applicant:**

Marisa Maclellan, 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 an inventory and supply assistant at the GS-6/X level on a permanent contract. He filed the current Application on 26 February 2014 challenging the decision to abolish his post.

2. The Respondent submitted his Reply on 7 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. On 14 April 2014, the Applicant received a memo from the Director of the Administrative Services Division, ESCWA, stating that he was being reassigned to another section, effective 15 April 2014. On 25 April 2014, the Applicant received an updated personnel action form which reflected his new title and post number.

4. On 25 April 2014, the Applicant filed a motion to withdraw his Application given his reassignment and the fact that the abolishment of his post would not result in his separation.

## **Order**

5. The Tribunal hereby records the contents of the Applicant's Motion and orders that the matter of *Nahhas v. Secretary-General of the United Nations* (Case No. UNDT/NBI/2014/015) be struck off the Court's docket.



Judge Vinod Boolell

Dated this 12<sup>th</sup> day of May 2014

Entered in the Register on this 12<sup>th</sup> day of May 2014



Abena Kwakye-Berko, Registrar, Nairobi