



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2015/050

Order No.: 194 (NBI/2015)

Date: 11 June 2015

Original: English

Before: Judge Vinod Boolell

Registry: Nairobi

Registrar: Abena Kwakye-Berko

NYA NANA

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

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

Counsel for the Applicant:

Nicole Washienko, OSLA

Counsel for the Respondent:

Steven Dietrich, ALS/OHRM

Nicole Wynn, ALS/OHRM

The Application and Procedural History

1. The Applicant is an Audio Visual Technician on a fixed term appointment at the G4 level in the Communications Section of the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA).

2. On 13 April 2015, the Applicant filed an Application with the United Nations Dispute Tribunal (UNDT) in Nairobi challenging the Respondent's failure to take adequate measures to adequately ensure his safety, and decisions to treat his absence from the duty station as unauthorised and "the attendant decision not to return to him the salary" that was withheld.

3. The Respondent's Reply was due on 14 May 2015.

4. On 7 May 2015, the Parties filed a motion for adjournment of proceedings pending the outcome of settlement discussions.

5. On 13 May 2015, the Tribunal issued Order No. 160 (NBI/2015) granting the Parties' motion.

6. On 21 May 2015, the Parties jointly informed the Tribunal that the "advanced settlement discussions" are proceeding well, and moved to extend the suspension of proceedings to 30 June 2015.

7. On 21 May 2015, the Tribunal issued Order No. 181 (NBI/2015) granting the Parties' Motion.

8. On 10 June 2015, the Applicant filed the subject Motion of the present Order for leave to withdraw his Application, with prejudice, as the Parties have reached an amicable settlement of the dispute between them.

Deliberations and Order

9. The Tribunal commends and congratulates the Parties for having resolved this matter without recourse to litigation.

10. The Tribunal hereby **GRANTS** the Applicant's Motion and **ORDERS** that the matter of *Nya Nana v Secretary General of the United Nations* (UNDT/NBI/2015/050) be struck off the Court's docket.

(Signed)

Judge Vinod Boolell

Dated this 11th day of June 2015

Entered in the Register on this 11th day of June 2015

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi