



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2014/116

Order No.: 213 (NBI/2015)

Date: 19 June 2015

Original: English

---

**Before:** Judge Vinod Boolell

**Registry:** Nairobi

**Registrar:** Abena Kwakye-Berko

TADDESSE

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

---

**ORDER STRIKING OUT THE  
APPLICATION**

---

**Counsel for the Applicant:**  
Miles Hastie, OSLA

**Counsel for the Respondent:**  
ALS/OHRM

## **Introduction**

1. On 22 December 2014, OSLA Counsel filed a motion for extension of time to file an application on behalf of Mr. Tesfaye Tadesse who is a staff member of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO).
2. On 18 July 2014, Mr. Tadesse requested management evaluation of the decision to deny him payment of a lump sum relocation grant associated with a mandatory reassignment. He was represented by OSLA counsel at the time he requested management evaluation.
3. On 23 September 2014, the Management Evaluation Unit sent a response, via email, to Mr. Tadesse. OSLA counsel was not copied on this email.
4. On 11 December 2014, OSLA counsel sent an email to MEU seeking an update on Mr. Tadesse's 18 July 2014 request for management evaluation. MEU responded the same day by forwarding the email and response of 23 September 2014. OSLA counsel immediately forwarded the MEU correspondence to one Tesfaye Tadesse seeking instructions as to whether or not he wished to proceed with an application before the Dispute Tribunal.
5. On 22 December, in the course of making a final effort to reach Mr. Tadesse, OSLA counsel realized that he had erroneously addressed his emails to Tesfaye **Tadesse** at the Economic Commission for Africa (ECA) instead of Tesfaye **Tadesse** at MONUSCO. According to Counsel, since recognizing this error, he has made a concerted effort to reach Mr. Tadesse of MONUSCO by email and telephone with no success. Nonetheless, in an effort to preserve the rights of Mr. Tadesse, he decided to file a Motion to seek an extension of 15 business days to permit time for Mr. Tadesse to provide instructions to OSLA whether to withdraw the Motion or to file an application to the Tribunal.
6. On 24 December 2014 vide Order No. 277 (NBI/2014), the Tribunal rejected the Applicant's Motion and ordered him to file an application within the

delay stipulated in art. 8 of the Statute of the Dispute Tribunal. The Applicant has failed to comply with the Order.

**ORDER**

7. The Tribunal notes with concern the failure by Counsel to apprise it of the status of the case and **ORDERS** that the matter of *Taddesse v The Secretary-General of the United Nations* (UNDT/NBI/2014/116) be struck off the Court's docket.

*(Signed)*

Judge Vinod Boolell

Dated this 22<sup>nd</sup> day of June 2015

Entered in the Register on this 22<sup>nd</sup> day of June 2015

*(Signed)*

Abena Kwakye-Berko, Registrar, Nairobi