



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2015/037

Order No.: 235 (NBI/2015)

Date: 8 July 2015

Original: English

Before: Judge Vinod Boolell
Registry: Nairobi
Registrar: Abena Kwakye-Berko

MWAMBA NGOY

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

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

Counsel for the Applicant:
Alexandre Tavadian, OSLA

Counsel for the Respondent:
Fabrizio Mastrogirolamo, UNDP

The Application and Procedural History

1. The Applicant served as an Administrative Assistant on a fixed term appointment at the G6 level in the North Kivu/Goma Sub-Office of the Office for the Coordination of Humanitarian Affairs (OCHA). The office is an operation jointly run with the United Nations Development Programme (UNDP) in the Democratic Republic of the Congo.

2. On 17 February 2015, the Applicant filed an Application with the United Nations Dispute Tribunal (UNDT) in Nairobi challenging the decision to terminate his appointment with OCHA.

3. On 23 February 2015, the Application was served on the Respondent who was given 30 days to file his Reply.

4. On 9 March 2015, the Parties moved the court for suspension of proceedings as they had agreed to “explore the possibility of resolving the dispute informally.”

5. On 11 March 2015, the Tribunal issued Order No. 077 (NBI/2015) suspending the proceedings for two months so that efforts to have the matter resolved informally could proceed.

6. On 19 May 2015, the Parties moved the Tribunal to suspend the proceedings for a further two months as they were “nearing an amicable solution” and needed time to finalise a settlement agreement.

7. Also on 19 May 2015, the Tribunal issued Order No. 178 (NBI/2015) granting the Parties’ motion and suspending the matter for a further two months.

8. On 7 July 2015, the Applicant filed the subject motion of the present Order, informing the Tribunal that the Parties have resolved the dispute between them.

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 *Mwamba Ngoy v Secretary General of the United Nations* (UNDT/NBI/2015/037) be struck off the Court's docket.

(Signed)

Judge Vinod Boolell

Dated this 8th day of July 2015

Entered in the Register on this 8th day of July 2015

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi