



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2015/085
Order No.: 372 (NBI/2015)
Date: 19 November 2015
Original: English

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

NDIANGUI

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

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

Counsel for the Applicant:
Alexandre Tavadian, OSLA

Counsel for the Respondent:
Cristiano Papile, ALS/OHRM
Miryoung An, ALS/OHRM

The Application and Procedural History

1. The Applicant is a staff member of the African Union – United Nations Mission in Darfur (UNAMID) based in El Fasher, Sudan. On 28 July 2015, he filed an Application contesting a decision to impose on him disciplinary measures of written censure and demotion by one grade with deferment for one year of eligibility for consideration for promotion.

2. The Respondent filed a Reply to the Application on 26 August 2015.

3. By Order No. 290 (NBI/2015), dated 16 September 2015, the Tribunal set this matter for hearing from 9 to 13 October 2015. The Tribunal further ordered that, by 30 September 2015, the Parties file their lists of witnesses and witness statements, and the Respondent prepare and file an agreed bundle of documents to be referred to during the oral hearing.

4. On 25 September 2015, the Parties moved the Tribunal to suspend proceedings as they were exploring the possibility of resolving this matter informally.

5. By Order No. 302 (NBI/2015), dated 29 September 2015, the Tribunal granted the Parties' request and suspended the proceedings until 30 November 2015.

6. On 19 November 2015, the Applicant moved the Tribunal for leave to withdraw his Application pursuant to the terms and conditions of a settlement agreement "without ability to reinstate".

Deliberations and Order

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

8. The Tribunal hereby **GRANTS** the Applicant's Motion and **ORDERS** that the matter of *Ndiangui v Secretary General of the United Nations* (UNDT/NBI/2015/085) be struck off the Court's docket.

Case No. UNDT/NBI/2015/085

Order No. 372 (NBI/2015)

(Signed)

Judge Vinod Boolell

Dated this 19th day of November 2015

Entered in the Register on this 19th day of November 2015

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi