



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2016/003

Order No.: 206(NBI/2016)

Date: 29 April 2016

Original: English

Before: Judge Nkemdilim Izuako

Registry: Nairobi

Registrar: Abena Kwakye-Berko

WAGANDA

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

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

Counsel for the Applicant:
Nicole Washienko, OSLA

Counsel for the Respondent:
Frits E. Bontekoe, UNHCR

The Application and Procedural History

1. The Applicant is a Supply Associate at the United Nations High Commissioner for Refugees (UNHCR) at the GS-6 level in UNHCR's Branch Office Somalia in Nairobi, Kenya.

2. On 6 January 2016, the Applicant filed an Application on the merits contesting the decision to conduct a competitive recruitment process for the vacant post of Supply Associate at the GS-6 level, Branch Office Somalia rather than to undertake a comparative review of the post.

3. On 8 January 2016, the Application was served on the Respondent with a deadline to file his Reply by 8 February 2016.

4. By Orders No. 019 (NBI/2016), 030 (NBI/2016), 094 (NBI/2016), 135 (NBI/2016) and 190 (NBI/2016) dated 5 February, 22 February, 3 March, 18 March and 11 April 2016, the Tribunal ordered the suspension of the proceedings of the Application before the Tribunal until 22 February, 4 March, 18 March, 8 April and 14 April 2016 respectively.

5. On 28 April 2016, the Applicant moved the court for leave to withdraw her Application before the Tribunal with prejudice as the Parties "have reached an agreement and formally resolved the UNDT Application.

Deliberations and Order

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

7. The Tribunal hereby **GRANTS** the Applicant's Motion and **ORDERS** that the matter of *Waganda v Secretary General of the United Nations* (UNDT/NBI/2016/003) be struck off the Court's docket.

(Signed)

Judge Nkemdilim Izuako

Dated this 29th day of April 2016

Entered in the Register on this 29th day of April 2016

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi