



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2017/061
Order No.: 168 (NBI/2018)
Date: 29 October 2018
Original: English

Before: Judge Alexander W. Hunter, Jr.

Registry: Nairobi

Registrar: Abena Kwakye-Berko

BHARATY

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**CASE MANAGEMENT ORDER AND
NOTICE OF HEARING**

Counsel for the Applicant:
Julia Lee, OSLA

Counsel for the Respondent:
Nusrat Chagtai, ALS/OHRM

Introduction

1. At the time of the application, the Applicant was an Associate HIV/AIDS Officer with the United Nations Interim Force in Lebanon (UNIFIL). She served on a fixed term appointment and was based in Naqoura.

Procedural History

2. On 19 July 2017, the Applicant filed an application challenging the Respondent's decision to not renew her contract.

3. The Respondent filed his reply to the application on 21 August 2017.

4. On 4 September 2018, the Tribunal issued Order No. 130 (NBO/2018) setting this matter down for a case management discussion (CMD).

5. The CMD took place, as scheduled, on 19 September 2018. Following the discussion, the parties were given deadlines within which to file a Motion for Disclosure and response thereto.

6. The Applicant filed the subject motion on 21 September 2018.

7. The Respondent replied to this motion on 28 September 2018.

8. On 19 October 2018, the Tribunal issued Order No. 161 (NBI/2018) deciding on the Applicant's motion for disclosure. The Tribunal also directed the parties to advise if they are amenable to this matter being decided on the basis of their written submissions.

9. On 26 October 2018, the Applicant informed the Tribunal that she wishes to have an oral hearing. The Respondent was amenable to this case being decided on the papers.

ORDER

10. The Tribunal has considered the parties' submissions and takes the view that allowing an oral hearing would facilitate the fair conduct of proceedings in this matter.

11. The parties are hereby **DIRECTED** to file their respective witness lists, if any, with a summary of the anticipated testimony by **Thursday, 1 November 2018**. Should the list include witnesses who will be testifying remotely, the parties are requested to provide the Registry with the relevant contact details.

12. Additionally, the parties are hereby **DIRECTED** to submit a paginated bundle of documents that they will move to have admitted in evidence at the hearing by **Thursday, 1 November 2018**.

13. **NOTICE** is hereby issued that the matter of *Bharaty v Secretary-General of the United Nations* (UNDT/NBI/2017/061) is set down for hearing at **1000hrs** (Nairobi time) on **5 and 6 November 2018** in the UNDT Boardroom.

(Signed)

Judge Alexander W. Hunter, Jr.

Dated this 29th day of October 2018

Entered in the Register on this 29th day of October 2018

(Signed)

Eric Muli, Legal Officer for

Abena Kwakye-Berko, Registrar, Nairobi