



Before: Judge Agnieszka Klonowiecka-Milart

Registry: Nairobi

Registrar: Abena Kwakye-Berko

SANDO et al.

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON THE RESPONDENT'S
REQUEST TO SUSPEND PROCEEDINGS**

Counsel for the Applicant:
Self-represented

Counsel for the Respondent:
Nicole Wynn, AAS/ALD/OHR
Maureen Munyolo, AAS/ALD/OHR

Introduction

1. On 30 June 2020, the Applicants filed an application challenging the implied decision of the United Nations Organization Stabilization Mission in the Democratic Republic of Congo (“MONUSCO”) to deny them payment of night differential.¹
2. The deadline for the Respondent’s reply was 3 August 2020.
3. Since 29 July 2020, the proceedings have been suspended at the parties’ request for them to pursue efforts to informally resolve the dispute.
4. On 25 September 2020, by Order No. 187 (NBI/2020), the Tribunal further suspended the proceedings until 3 November 2020. The Tribunal also extended the deadline for the filing of the reply to 4 November 2020. The Order directed the parties to inform the Tribunal by 3 November 2020 whether the matter has been resolved.
5. On 3 November 2020, the Respondent filed submissions informing the Tribunal that the parties have reached an agreement in principle, but will need additional time beyond 3 November 2020 to conclude the settlement. Accordingly, the Respondent requested a further suspension of the proceedings for 30 days until 4 December 2020 to finalise the settlement. The Respondent also requested the Tribunal to extend the deadline for the Respondent’s reply for more 30 days from 4 November 2020 to 4 December 2020 in the event that a settlement cannot be reached.

Deliberations and Order

6. The Tribunal **GRANTS** the Respondent’s request and the proceedings are suspended until 4 December 2020. On or before that date, the parties shall inform the Tribunal whether or not the matter has been resolved.
7. The deadline for the filing of the reply is extended **to 5 December 2020**.

¹ Application, section V

Case No.: UNDT/NBI/2020/047

Order No.: 220 (NBI/2020)

(Signed)

Judge Agnieszka Klonowiecka-Milart

Dated this 4th day of November 2020

Entered in the Register on this 4th day of November 2020

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi