



Before: Judge Francesco Buffa

Registry: Nairobi

Registrar: Abena Kwakye-Berko

BAH

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON THE APPLICANT'S
MOTION FOR EXTENSION OF TIME
TO FILE AN APPLICATION**

Counsel for the Applicant:

Maximilian Girod-Laine

Counsel for the Respondent:

UN Secretariat

Introduction

1. On 2 March 2022, the staff member filed a motion for extension of time to challenge the Respondent's decision to recover education grant payments that were made to him.
2. The staff member submits that he is constrained for time to file his substantive application, following receipt of the management evaluation decision on 6 December 2021, because he was waiting for a response from counsel at the Office of Staff Legal Assistance (OSLA), which allegedly arrived few days before the deadline, too late for his private representative to prepare properly the claim.
3. The Tribunal invited the staff member to provide evidence of his communication with OSLA, which he did.

Considerations and Order

4. The impugned decision was made on 9 August 2021. The staff member sought management evaluation in good time and received his decision on 6 December 2021.
5. The Tribunal has examined the staff member's submissions explaining his delay and in particular the advice by OSLA, which was dated 3 February 2022.
6. The Tribunal notes that the said communication was given long time (almost one month) before the deadline expired, and therefore it does not accept the suggestion that Applicant needed more time to gather the necessary evidence to present his case to the Tribunal.
7. The motion for extension of time is therefore REFUSED.

Case No. UNDT/NBI/2022/024

Order No. 033 (NBI/2022)

(Signed)

Judge Francesco Buffa

Dated this 8th day of March 2022

Entered in the Register on this 8th day of March 2022

(Signed)

Eric Muli, Legal Officer, for

Abena Kwakye-Berko, Registrar, Nairobi