



**Before:** Judge Margaret Tibulya

**Registry:** Nairobi

**Registrar:** Abena Kwakye-Berko

NEUPANE

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER ON THE RESPONDENT'S  
MOTION FOR A PRELIMINARY  
RULING ON RECEIVABILITY AND  
TO STAY THE DEADLINE FOR HIS  
REPLY**

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**Counsel for the Applicant:**

Edwin Nhiliziyo

**Counsel for the Respondent:**

Nicole Wynn, AAS/ALD/OHR, UN Secretariat

Maureen Munyolo, AAS/ALD/OHR, UN Secretariat

### **Introduction and Procedural History**

1. The Applicant was the Chief of Engineering Section at the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (“MINUSCA”). He served on a fixed-term appointment at the P-5 level.
2. On 6 April 2022, he filed an application before the United Nations Dispute Tribunal sitting in Nairobi to challenge the Respondent’s decision to reassign him to the position of Chief, Integrated Warehouse Section (at the same level) effective 29 October 2020.
3. The application was incomplete. It was eventually completed and served on the Respondent on 26 April 2022.
4. On 11 May 2022, the Respondent moved the Tribunal to determine the receivability of the application as a preliminary matter and to stay the deadline for the filing of his reply until receivability has been determined.

### **Order**

5. The Tribunal has considered the Respondent’s motion and hereby suspends the deadline for the filing of his reply.
6. The Tribunal invites the applicant to file his response to the Respondent’s motion by **31 May 2022**.

*(Signed)*

Judge Margaret Tibulya

Dated this 16<sup>th</sup> day of May 2022

Entered in the Register on this 16<sup>th</sup> day of May 2022

*(Signed)*

Eric Muli, Legal Officer, for

Abena Kwakye-Berko, Registrar, Nairobi