



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2023/002

Order No.: 030 (NBI/2023)

Date: 7 February 2023

Original: English

Before: Judge Francesco Buffa, Duty Judge

Registry: Nairobi

Registrar: Abena Kwakye-Berko

ROBERTS

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER ON CASE MANAGEMENT

Counsel for the Applicant:

Danielle Chu

Counsel for the Respondent:

Kong Leong Toh, UNOPS

Introduction

1. The Applicant filed an application on 2 January 2023 to contest the determination by the Division of Healthcare Management, Occupational Safety and Health and the United Nations Office for Project Services that his medical conditions did not meet the criteria for a disability benefit under art. 33(a) of the Regulations, Rules and Pension Adjustment System of the United Nations Joint Staff Pension Fund.
2. The Respondent filed a reply on 6 January 2023.

Case management

3. Pursuant to art. 19 of the Rules of Procedure of the Dispute Tribunal, the Tribunal may at any time issue an order or give any direction which appears to be appropriate for the fair and expeditious disposal of a case and to do justice to the parties.
4. Paragraph 18 of the Tribunal's Practice Direction No. 4 states, in relevant part, that the reply should not exceed 10 pages. This page limitation is necessary to ensure that parties file concise submissions that the Tribunal can work with easily to quickly dispose of cases.
5. In the current case, the Respondent's reply fails to comply with Practice Direction No. 4 as it is 30 pages long and he did not, as a preliminary matter, file a motion seeking leave to file a longer reply. The Tribunal has carefully reviewed the reply and is convinced that the Respondent can present his case effectively in a 10-page reply.

ORDERS

6. On or before 22 February 2023, the Respondent shall comply with para. 18 of Practice Direction No. 4 by filing an amended reply that does not exceed 10 pages.

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(Signed)

Judge Francesco Buffa

Dated this 7th day of February 2023

Entered in the Register on this 7th day of February 2023

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi