



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2023/002
Order No.: 053 (NBI/2023)
Date: 23 February 2023
Original: English

Before: Judge Agnieszka Klonowiecka-Milart, Duty Judge
Registry: Nairobi
Registrar: Abena Kwakye-Berko

ROBERTS

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER GIVING AN OPPORTUNITY
TO THE APPLICANT TO RESPOND
TO THE RESPONDENT'S REPLY**

Counsel for the Applicant:

Cristian Gimenez Corte

Counsel for the Respondent:

Nicole Wynn, AS/ALD/OHR, UN Secretariat

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 that his medical conditions did not meet the criterion for a disability benefit under art. 33(a) of the Regulations, Rules and Pension Adjustment System of the United Nations Joint Staff Pension Fund.¹

2. The Respondent filed a reply on 6 January 2023.

3. By Order No. 030 (NBI/2023), issued on 7 February 2023, the Respondent, among others, was directed to file an amended reply that complies with para. 18 of Practice Direction No. 4.

4. On 21 February 2023, the Respondent complied and filed an amended reply. In his amended reply, the Respondent raises pertinent factual issues and argues that the contested decision was lawful. Further, the Respondent contends that the application is not receivable due to the reasons stated in paragraphs 15 to 21 of the reply.

ORDERS

5. On or before **15 March 2023**, the Applicant shall file a response to the reply and more specifically address the receivability issues raised by the Respondent.

6. The submissions shall not exceed five pages, in font Times New Roman, font size 12, line spacing of 1.5 lines.

¹ Application, annex 3.

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(Signed)

Judge Agnieszka Klonowiecka-Milart

Dated this 23rd day of February 2023

Entered in the Register on this 23rd day of February 2023

(Signed)

Eric Muli, Legal Officer, for
Abena Kwakye-Berko, Registrar, Nairobi