



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2023/017  
Order No.: 054 (NBI/2023)  
Date: 24 February 2023  
Original: English

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**Before:** Judge Francesco Buffa, Duty Judge

**Registry:** Nairobi

**Registrar:** Abena Kwakye-Berko

ASLAM

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER ON A MOTION FOR AN  
EXTENSION OF TIME TO FILE AN  
APPLICATION**

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**Counsel for the Applicant:**

Manuel Calzada

**Counsel for the Respondent:**

ALD/OHR, UN Secretariat

## **Introduction**

1. On 22 February 2023, the Applicant filed a motion for an extension of time to file an application before the Dispute Tribunal in respect of the United Nations Advisory Board on Compensation Claims' ("ABCC") decision dated 15 August 2022 to deny his claim for illness and injuries to his right knee. He is seeking an extension of time of 60) additional days from 27 February 2023 to file an application.
2. The Applicant provided the following grounds for his request:
  - a. In early January 2023, he was required to undergo surgical procedures.
  - b. He remains under treatment and rehabilitation, including long periods under heavy sedation.
  - c. 60 additional days should be sufficient for him to be able to focus on the requirements of the application.
  - d. The rehabilitation treatment he has been required to undergo over recent weeks will continue over the following months.

## **Considerations**

3. Article 8.3 of the Dispute Tribunal's Statute provides that "[t]he Dispute Tribunal may decide ... to suspend or waive the deadlines for a limited period of time and only in exceptional cases."
4. Article 7.5 of the UNDT Rules of Procedure states that, "[i]n exceptional cases, an applicant may submit a written request to the Dispute Tribunal seeking suspension, waiver or extension of the time limits referred to in article 7.1 above. Such request shall succinctly set out the exceptional circumstances that, in the view of the applicant, justify the request. The request shall not exceed two pages in length."

5. Article 19 of the UNDT Rules of Procedure provides that the Tribunal “may at any time, either on an application of a party or on its own initiative, issue any order or give any direction which appears to a judge to be appropriate for the fair and expeditious disposal of the case and to do justice to the parties”.

6. In this case, events are beyond the Applicant’s control. The Applicant filed his motion prior to the expiration of the deadline for submission of his application. An extension of time of 60 days will permit the Applicant to properly prepare his application. Because of the circumstances of this case and the reasons stated above:

**IT IS ORDERED THAT**

7. The Applicant’s motion is granted. The Applicant shall file his application on or before 2 :00 p.m. (Nairobi time), Friday, 28 April 2023.

*(Signed)*

Judge Francesco Buffa

Dated this 24<sup>th</sup> day of February 2023

Entered in the Register on this 24<sup>th</sup> day of February 2023

*(Signed)*

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