



Before: Judge Agnieszka Klonowiecka-Milart

Registry: Nairobi

Registrar: Abena Kwakye-Berko

ROBERTS

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON THE APPLICANT'S MOTION
TO WITHDRAW HIS APPLICATION**

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, and an amended reply on 21 February 2023
3. On 14 March 2023, the Applicant filed a motion to withdraw his application. He states that, in light of the Respondent's amended reply, in which, among others, the Respondent raises the issue of receivability on the ground that the Applicant did not request management evaluation which is a required step prior to filing the application; he acknowledges that this step was not undertaken. Accordingly, the Applicant requests the Tribunal to strike out the application.

ORDER

4. The Tribunal takes note of the Applicant's motion and hereby ORDERS that Case No. UNDT/NBI/2023/002 be struck off its docket.

(Signed)

Judge Agnieszka Klonowiecka-Milart

Dated this 28th day of March 2023

Entered in the Register on this 28th day of March 2023

(Signed)

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