



Before: Duty Judge
Registry: Nairobi
Registrar: Wanda L. Carter

SHIALA

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON THE RESPONDENT'S MOTION
TO DETERMINE RECEIVABILITY AS
A PRELIMINARY MATTER**

Counsel for Applicant:
Chadrack Koko Kaswa

Counsel for Respondent:
Alister Cumming, UNICEF

Introduction

1. The Applicant, a former driver, working with the United Nations Children's Fund ("UNICEF"), on 26 November 2024, filed an application contesting the manner in which UNICEF handled his request for compensation. The Applicant did not identify a specific administrative decision that he contests.
2. The deadline for the filing of the Respondent's reply is 27 December 2024.
3. On 4 December 2023, the Respondent filed a motion requesting the Tribunal to: (i) determine receivability of the application as a preliminary matter and thereafter dismiss it; (ii) suspend the Respondent's deadline for the filing of the reply pending the determination of the motion.

Consideration

4. The Tribunal, in accordance with articles 19 and 35 of its Rules of Procedure, considers that it would be appropriate for the fair and expeditious disposal of the case to partially grant the Respondent's motion.

Conclusion

5. In view of the foregoing, it is ORDERED THAT:
 - a. The Applicant shall file a rejoinder on the issue of receivability on or before **Monday, 23 December 2024**. Along with his arguments on receivability, the Applicant shall specifically indicate the specific administrative decision that he is seeking to have reviewed, and whether or not he requested management evaluation of the contested decision. The Applicant shall submit a copy of the contested administrative decision and, if he requested management evaluation of that decision, copy of the request.
 - b. The rejoinder shall not exceed three pages, in font Times New Roman, font size 12, line spacing of 1.5 lines.

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c. The deadline for the Respondent's reply is suspended pending the determination of the motion.

(Signed)

Judge Sean Wallace (Duty Judge)

Dated this 9th day of December 2024

Entered in the Register on this 9th day of December 2024

(Signed)

Wanda L. Carter, Registrar, Nairobi