



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2025/084
Order No.: 130 (NBI/2025)
Date: 19 August 2025
Original: English

Before: Judge Sean Wallace

Registry: Nairobi

Registrar: Wanda L. Carter

POLIMERAA

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON AN APPLICATION FOR
SUSPENSION OF ACTION PENDING
MANAGEMENT EVALUATION**

Counsel for Applicant:

Manuel Calzada

Counsel for Respondent:

Nisha S. Valabhji, UNON

Introduction

1. The Applicant is a Broadcast Technology Technician working with the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic.
2. On 13 August 2025, the Applicant filed an application for suspension of action to stay the Respondent's decision to withdraw an offer to grant him a P-3 position with the United Nations Office at Nairobi ("UNON") on the basis that his current FS- 5 post prevents his appointment to the P-3 post.
3. On 18 August 2025, the Respondent filed a reply indicating, *inter alia*, that the application is moot.

Consideration

4. Art. 2.2 of the Tribunal's Statute provides in its relevant part that:

The Dispute Tribunal shall be competent to hear and pass judgement on an application filed by an individual requesting the Dispute Tribunal to suspend, during the pendency of the management evaluation, the implementation of a contested administrative decision that is the subject of an ongoing management evaluation, where the decision appears *prima facie* to be unlawful, in cases of particular urgency, and where its implementation would cause irreparable damage.

5. In his reply, the Respondent informs the Tribunal that UNON has placed on hold the recruitment exercise of the position in question pending completion of the management evaluation. The Respondent further explains that placing the recruitment exercise on hold, includes suspending the implementation of the contested decision. As such, the post will not be re-advertised or filled pending the completion of management evaluation.
6. Accordingly, the Applicant's request for suspension of the implementation of the contested administrative decision has become moot by the Respondent's agreement to suspend implementation pending management evaluation.

Conclusion

7. In view of the foregoing, this application for suspension of action is moot. There is no need to further determine the Applicant's request.

(Signed)

Judge Sean Wallace

Dated this 19th day of August 2025

Entered in the Register on this 19th day of August 2025

(Signed)

Wanda L. Carter, Registrar, Nairobi