



Before: Judge Ebrahim-Carstens

Registry: New York

Registrar: Hafida Lahiouel

EL-KOMY

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER

ON CASE MANAGEMENT

Counsel for Applicant:

Lennox Hinds

Counsel for Respondent:

Alan Gutman, ALS/OHRM, UN Secretariat

Sarahi Lim Baró, ALS/OHRM, UN Secretariat

Introduction

1. On 27 January 2012, the Applicant, an Arabic Translator, Arabic Translation Service, Department for General Assembly and Conference Management at the United Nations Headquarters, filed an application concerning the propriety of the extension of his probationary appointment instead of conversion to a permanent appointment status. The case was assigned case number UNDT/NY/2012/003 and remains pending.

2. On 24 April 2013, the Applicant filed an application appealing the decision to separate him from service following the decision not to grant him a permanent appointment upon the completion of his probationary employment period. The case was registered under case number UNDT/NY/2013/033.

3. The same day, the Applicant filed a motion for expedited hearing in Case No. UNDT/NY/2013/033, requesting that the case be heard prior to close of business on 30 April 2013.

4. On 29 April 2013, the Tribunal issued Order No. 118 (NY/2013) on interim measures, ordering the Respondent to suspend the implementation of the decision to separate the Applicant from the date of the order pending the final determination of the substantive merits of the application or until such further order as may be deemed appropriate by the Tribunal. It was further stated that the Tribunal would determine whether the present case would be considered on an expedited basis following the receipt of the Respondent's reply and any further submissions.

5. On 28 May 2013, the Respondent filed a reply to the application in Case No. UNDT/NY/2013/033, stating, *inter alia*, that the application was without merit.

6. On 10 June 2013, Her Honour Judge Greceanu (Duty Judge) issued Order No. 143 (NY/2013) in the present case, directing the parties to file, by 16 July 2013, a jointly-signed statement identifying agreed and disputed issues of law and fact.

The parties were directed to indicate whether they were amenable to informal resolution of the matter and to state whether in their view the present case would benefit from being considered together with Case No. UNDT/NY/2012/003.

Consideration

7. Following the assignment of Case No. UNDT/NY/2013/033 to the undersigned Judge for consideration on the merits, and in view of Orders No. 118 (NY/2013) and No. 143 (NY/2013), the Tribunal considers it appropriate to hold a case management discussion in relation to this case. The purpose of the case management discussion is to ensure the most fair and expeditious disposal of the case.

IT IS ORDERED THAT:

8. The parties shall attend a case management discussion at **11 a.m. on Monday, 24 June 2013.**

9. By **5 p.m. on Thursday, 20 June 2013**, Counsel shall confirm to the Tribunal whether they will attend the case management discussion in person or by telephone.

(Signed)

Judge Ebrahim-Carstens

Dated this 13th day of June 2013