



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2017/015

Order No.: 28 (NY/2017)

Date: 15 February 2017

Original: English

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**Before:** Judge Ebrahim-Carstens

**Registry:** New York

**Registrar:** Hafida Lahiouel

ROCKCLIFFE

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER ON WITHDRAWAL OF  
APPLICATION FOR SUSPENSION OF  
ACTION**

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**Counsel for Applicant:**  
Mariam Munang, OSLA

**Counsel for Respondent:**  
Alan Gutman, ALS/OHRM, UN Secretariat

## **Introduction**

1. On 13 February 2017, the Applicant filed an application requesting suspension, pending management evaluation, of the “decision not to short list [her] for the position of Benefits Officer [P-4 level], Job ID 70267”, within the United Nations Joint Staff Pension Fund (“UNJSPF”) in Geneva (“the post”); the Applicant having previously filed a request for management evaluation of the contested decision earlier the same day.

2. On 14 February 2017, the New York Registry of the Dispute Tribunal transmitted the application to the Respondent directing that a reply be filed by 16 February 2017.

3. On 15 February 2017, the Applicant submitted a request for the withdrawal of the suspension of action proceedings stating that “later in the day the Applicant was informed that she had been shortlisted for the position. Consequently she seeks to withdraw her application for suspension of action”.

## **Background**

4. The Applicant currently serves at the P-4 level as a Programme Officer in the UNJSPF in New York and has been assigned since 1 August 2011 to the Integrated Pension Administration System Project as the Functional Expert on Entitlements. The Applicant commenced employment with the United Nations on 1 June 1992 and her appointment was converted to a permanent appointment on 30 June 2009.

5. On 20 December 2016 the Applicant applied via Inspira for the post of Benefits Officer [P-4 level], Job ID 70267. On 10 February 2017 she learnt that a written assessment for the post had been conducted but she had not been invited to participate, whereupon she filed the instant application for suspension of action.

### **Consideration**

6. In the instant case, the Applicant has confirmed in writing, by and through her counsel, that she is withdrawing her application. She sought to suspend, pending management evaluation, the decision not to short list her for the post. The Applicant now submits to the Tribunal that subsequent to filing her application she has been short listed for the post. The contested decision having been rescinded, the Tribunal, therefore, finds no obstacle in the withdrawal of her application.

### **Conclusion**

7. There no longer being any determination for the Tribunal to make, this application is withdrawn and the case is closed.

*(Signed)*

Judge Ebrahim-Carstens

Dated this 15<sup>th</sup> day of February 2017