



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2021/064

Order No.: 010 (NY/2022)

Date: 19 January 2022

Original: English

**Before:** Judge Joelle Adda

**Registry:** New York

**Registrar:** Nerea Suero Fontecha

NOUR

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

---

**ORDER**

**MOTION FOR EXTENSION OF  
DEADLINE TO FILE THE REPLY**

---

**Counsel for Applicant:**

Endah Ayuningsih Indini, OSLA

**Counsel for Respondent:**

Cynthia Cline, ECA

## **Introduction**

1. On 14 December 2021, the Applicant filed an application contesting a decision not to select him for a post. Along with the application, the Applicant filed a motion to exceed the page limit in the application.
2. On 20 December 2021, the New York Registry of the Dispute Tribunal served the application onto the Respondent noting that the statutory 30-day deadline for the submission of the reply was 19 January 2022. The Registry further informed the Respondent that the Applicant's motion to exceed the page limit had been granted and that an equal number of excess pages would be allowed for the reply.
3. On 19 January 2022, Counsel for the Respondent filed a motion seeking extension of deadline to submit the reply until 19 February 2022.

## **Consideration**

4. In her motion, Counsel for the Respondent states:
  1. Respondent was served with the application during the holidays when everyone was on leave.
  2. Applicant's submission is very lengthy, and Respondent needs more time to full (sic.) evaluate all that has been alleged in order to prepare a proper response.
  3. Counsel for Respondent recently traveled to her home country (USA) and is currently on leave until 7 February and is also ill.
  4. At present, Counsel is the only one working in the legal office at the [Economic Commission for Africa].
  5. Counsel for Respondent has issues with filing through the portal that need to be worked out.

5. The Tribunal is unsure what Counsel means by the application having been served “during the holidays”. The service email was not sent on an official holiday. Had this been the case, the deadline for submission of the reply would have started as of the next working day.

6. The Tribunal further finds the argument that “everyone was on leave” unacceptable. It is the responsibility of the Organization to manage its own resources appropriately to ensure an efficient functioning of its internal justice system.

7. The Tribunal further notes that Counsel for the Respondent states that she recently travelled to her home country on leave. However, the Tribunal notes that while the application was served onto the Respondent on 20 December 2021, Counsel only contacted the technical services seeking assistance to access this case file on 18 January 2022, that is, one day before the deadline for submission of the reply.

8. In light of the above, the Tribunal finds the Respondent’s arguments unpersuasive. Notwithstanding this, given that Counsel is unwell, the Tribunal will grant an exceptional three-week extension of the deadline for the submission of the reply in the interest of justice.

9. In light of the above,

IT IS ORDERED THAT:

10. The Respondent’s motion is granted in part;

11. The deadline for the submission of the Respondent's reply is extended until **4:00 p.m. on Thursday, 10 February 2022.**

*(Signed)*

Judge Joelle Adda

Dated this 19<sup>th</sup> day of January 2022