



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2022/004

Order No.: 012 (NY/2022)

Date: 25 January 2022

Original: English

Before: Duty Judge

Registry: New York

Registrar: Nerea Suero Fontecha

HEURTEMATTE

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER ON

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

Counsel for Applicant:
Self-represented

Counsel for Respondent:
UN Women

Introduction

1. On 29 December 2021, the Applicant filed an application contesting the decision to abolish his post, which led to his appointment not being renewed beyond 30 September 2021.
2. On 24 January 2022, the New York Registry of the Dispute Tribunal served the application on the Respondent indicating that the statutory 30-day deadline for the submission of the reply was 23 February 2022. The Registry explained that the delay in serving the application was due to technical problems.
3. On 25 January 2022, Counsel for the Respondent filed a motion seeking extension of deadline to submit the reply until 16 March 2022.

Consideration

4. In the Respondent's motion, Counsel explains that she is "across the history of this case" but is "commencing parental leave from Tuesday 2 February 2022 for 6 months and will be unable to complete and file a Reply prior to departure". It is further indicated that a "replacement Legal Specialist who specialises in administrative law and drafting such replies will not commence employment at UN Women until Monday 15 February 2022". Accordingly, to "allow the new Legal Specialist time to come up to speed on the case and prepare a Reply, we respectfully request the Tribunal's support in extending the deadline for the filing of a Reply to the Applicant's application".
5. The Tribunal notes that it is the responsibility of the Organization to manage its own resources appropriately to ensure an efficient functioning of its internal justice system. Normally, leave requirements would therefore not justify a postponement of the statutory 30-day time limit to file a reply as per art. 10.1 of the Rules of Procedure of the Dispute Tribunal.

6. Considering the exceptional circumstances of the present case, including that Respondent's Counsel is not at fault for her replacement not being in place to submit the reply in a timely manner and that the requested postponement will have no actual impact on the determination of the case, the Tribunal will grant the requested three-week extension of the deadline for the submission of the reply in the interest of justice.

7. In light of the above,

IT IS ORDERED THAT:

8. The Respondent's motion is granted;

9. The deadline for the submission of the Respondent's reply is extended until **4:00 p.m. on Wednesday, 16 March 2022.**

(Signed)

Judge Joelle Adda

Dated this 25th day of January 2022