



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2021/31
Order No.: 053 (NY/2022)
Date: 3 June 2022
Original: English

Before: Judge Joelle Adda
Registry: New York
Registrar: Morten Albert Michelsen, Officer-in-Charge

TOSON

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER

ON WITHDRAWAL

Counsel for Applicant:
Self-represented

Counsel for Respondent:
Katrina Waiters, UNFPA

Introduction

1. On 22 December 2020, the Applicant, a staff member of the United Nations Population Fund (“UNFPA”) filed an application challenging the decision by the Department of Human Resources to close his 2019 Performance Appraisal & Development (“PAD”) report.

2. On 22 January 2021, the Respondent filed his reply submitting that the application was not receivable *ratione materiae*.

3. By Order No. 119 (NY/2021) dated 7 December 2021, the Applicant was directed to file a response to the Respondent’s reply by 23 December 2021.

4. On 18 December 2021, the Applicant filed a motion for extension of time to file his submission on health grounds. The Tribunal granted the Applicant’s request to stay the proceedings until 30 March 2022.

5. Following further request from the Applicant for an extension of time dated 30 March 2022, the Tribunal granted a suspension of proceedings until 31 May 2022.

6. On 31 May 2022, the Applicant informed the Tribunal that he remains on sick leave and “[f]or health reasons, I am unable to pursue further proceedings or submissions. Please I kindly appeal to the honorable Judge to close the case”.

Consideration

7. Noting the Applicant’s request, the Tribunal will therefore close the case, because, for all intents and purposes, the Applicant evidently now seeks to withdraw the claims that were otherwise pending before the Tribunal in the present case.

8. The Tribunal wishes the Applicant good recovery with his health.

IT IS ORDERED THAT:

9. There being no matter remaining for adjudication by the Dispute Tribunal, Case No. UNDT/NY/2021/31 is hereby closed.

(Signed)

Judge Joelle Adda

Dated this 3rd day of June 2022