



Before: Judge Joelle Adda

Registry: New York

Registrar: Morten Michelsen, Officer-in-Charge

KAMAL

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER

ON CASE MANAGEMENT

Counsel for Applicant:
Self-represented

Counsel for Respondent:
Jenny Kim, ALD/AS/OHR, UN Secretariat

Introduction

1. On 29 January 2022, the Applicant, a former staff member who served as a Senior Interpreter (at the P-5 level) with the Department for General Assembly and Conference Management in New York until his retirement in August 2019, filed an application with the Dispute Tribunal contesting the decision to deny his request for an extension of the deadline for claiming his dependent repatriation benefits.

2. On 2 November 2022, the Respondent filed a motion to determine receivability as a preliminary matter by which he also requested the 28 November 2022 deadline for filing the reply to be suspended.

Consideration

3. The Tribunal notes that in the Respondent's 2 November 2022 motion, he challenges the receivability of the application stating that it is not receivable *ratione temporis*. The Respondent states that the Applicant filed the application on 29 January 2022, two days late, as the 90-day time limit to file the application under art. 8 of the Dispute Tribunal Statute expired on 27 January 2022.

4. In accordance with art. 19 of the Dispute Tribunal's Rules of Procedure, for the fair and expeditious disposal of the case and to do justice to the parties, the Tribunal finds that it would only be appropriate to determine the issue of receivability as a preliminary matter in this case.

5. The Respondent's motion is therefore granted. The Tribunal will further allow the Applicant to present his submissions in response to the Respondent's contentions on non-receivability.

IT IS ORDERED THAT:

6. The Respondent's 2 November 2022 motion is granted. The issue of receivability is to be determined as a preliminary matter;

7. The deadline for submitting the reply is suspended until further notice;
8. By **4:00 p.m. on Monday, 21 November 2022**, the Applicant may file observations in response to the Respondent's contentions of non-receivability. The submissions shall not exceed five pages, using Times New Roman, font 12 and 1.5 line spacing.

(Signed)

Judge Joelle Adda

Dated this 7th day of November 2022