



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2024/028  
Order No.: 081 (NY/2024)  
Date: 9 July 2024  
Original: English

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**Before:** Judge Joelle Adda

**Registry:** New York

**Registrar:** Isaac Endeley

BISTA

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER**

**ON APPLICATION FOR SUSPENSION  
OF ACTION PENDING MANAGEMENT  
EVALUATION**

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**Counsel for Applicant:**

Manuel Calzada

**Counsel for Respondent:**

Halil Goksan, AS/ALD/OHR/UN Secretariat  
Tamal Mandal, AS/ALD/OHR/UN Secretariat

## **Introduction**

1. The Applicant is a former staff member with the United Nations Support Mission in Libya (“UNSMIL”) in Tripoli, Libya. On 3 July 2024, he filed an application seeking suspension “of any attempts by UNSMIL to recruit any other person against the post of the Applicant, which remains vacant since his separation in 2022”.

2. On 9 July 2024, the Respondent filed a reply stating that the application is not receivable as the Management Advice and Evaluation Section (“MAES”) has already notified the Applicant of the outcome of his request for management evaluation.

## **Considerations**

3. In the application, the Applicant requests the suspension of the contested decision until the completion of management evaluation process.

4. In his reply, the Respondent submits that the application is not receivable since the MAES has already completed the management evaluation on 5 July 2024.

5. The Tribunal notes that a copy of the MAES’s response to the Applicant is attached to the Respondent’s reply. Since the management evaluation that the Applicant requested has already been completed, there is no further decision to be made by the Tribunal.

6. In light of the above,

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IT IS ORDERED THAT:

7. The application is rejected as it is moot.

*(Signed)*

Judge Joelle Adda

Dated this 9<sup>th</sup> day of July 2024

Entered in the Register on this 9<sup>th</sup> day of July 2024

*(Signed)*

Isaac Endeley, Registrar, New York