



**Before:** Judge Joelle Adda

**Registry:** New York

**Registrar:** Isaac Endeley

KHAMBATTA

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER**

**ON SUSPENSION OF ACTION**

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**Counsel for Applicant:**

Manuel Calzada

**Counsel for Respondent:**

Lucienne Pierre, AS/ALD/OHR/UN Secretariat

Tamal Mandal, AS/ALD/OHR/UN Secretariat

## **Introduction**

1. On 30 August 2024, the Applicant, a Programme Officer with the Office of the Under-Secretary-General (“USG”) for the Department of Operational Support (“DOS”) in the Secretariat, filed an application seeking the suspension during the pendency of management evaluation of the decision to not extend a reimbursable loan agreement with World Food Programme for one year.

2. On 4 September 2024, the Respondent duly filed his reply in which he, *inter alia*, states that (references to footnotes omitted),

... The Application is moot and not receivable *ratione materiae*. On 3 September 2024, the USG/DOS suspended the implementation of the contested decision pending management evaluation. Since the Applicant has been provided with the relief sought, there is no justiciable matter before the Tribunal and the Application is rendered moot.

## **Consideration**

3. In accordance with art. 2.2 of the Dispute Tribunal’s Statute, and as also reflected in art. 13 of its Rules of Procedure, the Dispute Tribunal “shall be competent to hear and pass judgement on an application filed by an individual requesting the Dispute Tribunal to suspend, during the pendency of the management evaluation, the implementation of a contested administrative decision that is the subject of an ongoing management evaluation”.

4. As the Respondent informs that the Administration has now decided to suspend the contested decision during the pendency of the management evaluation process, the purpose of the present application for suspension of action has been rendered moot. The application is therefore to be rejected.

IT IS ORDERED THAT:

5. The application is rejected.

*(Signed)*

Judge Joelle Adda

Dated this 4<sup>th</sup> day of September 2024

Entered in the Register on this 4<sup>th</sup> day of September 2024

*(Signed)*

Isaac Endeley, Registrar, New York