



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2024/002/R1
Order No.: 066 (NY/2025)
Date: 11 August 2025
Original: English

Before: Judge Francis Belle

Registry: New York

Registrar: Isaac Endeley

BAHEL

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER

ON CASE MANAGEMENT

Counsel for Applicant:

Sahil Gupta
Arjun Singh Bawa

Counsel for Respondent:

Nicola Caon, DAS/ALD/OHR, UN Secretariat
Sergei Gorbylev, DAS/ALD/OHR, UN Secretariat

Introduction

1. On 15 January 2024, the Applicant filed an application “seeking adjudication of the request for review dated 10.01.2007, which was transferred from the Joint Disciplinary Committee” (“JDC”) to the United Nations Dispute Tribunal following the closure of the JDC and the establishment of the Dispute Tribunal in July 2009.

2. On 7 March 2024, the Dispute Tribunal issued its judgment in *Bahel* UNDT/2024/013, finding that since the Applicant had failed to provide any evidence “to support his assertion that his request for review has been pending before the Dispute Tribunal since July 2009”, the application was not receivable.

3. By its judgment *Bahel* 2025-UNAT-1522 of 21 March 2025, the Appeals Tribunal reversed the Dispute Tribunal’s judgment, noting that the Applicant had “filed a timely appeal in 2007, which should properly have been transferred from the JDC to [the Dispute Tribunal] in July 2009”. The Appeals Tribunal also observed that “the contested administrative decision in this case [is] the disciplinary decision of 21 December 2006” and that the Applicant’s filing of 15 January 2024 “was a request to progress to judgment his challenge of the decision to summarily dismiss him”.

4. Accordingly, the matter has been remanded to the Dispute Tribunal with instructions to ensure that the Applicant’s case progresses to judgment.

Considerations

5. In line with the Appeals Tribunal’s pronouncements, the Dispute Tribunal considers it necessary to conduct a thorough review of the entire case record beginning with the Applicant’s memorandum of 10 January 2007 requesting the Secretary-General to “vitate” his summary dismissal. This review will include the proceedings before the JDC as well as the Applicant’s interactions and exchanges with the Administrative Law Division (“ALD”) in the Office of Human Resources (“OHR”).

6. In light of the foregoing,

IT IS ORDERED THAT:

7. **By 4:00 p.m. on Tuesday, 2 September 2025**, the Respondent is to file all documents related to the Applicant's initial submission in this case, including the memorandum of 10 January 2007, the complete record of proceedings before the JDC, and all exchanges between the Applicant and the Respondent prior to 15 January 2024.

8. After receiving and reviewing the above-mentioned documents, the Tribunal will issue instructions for further case management.

(Signed)

Judge Francis Belle

Dated this 11th day of August 2025

Entered in the Register on this 11th day of August 2025

(Signed)

Isaac Endeley, Registrar, New York