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JUDGE SABINE KNIERIM, PRESIDING.

*ratione temporis.*

Facts and Procedure



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(c) An applicant has previously submitted the contested administrative decision for management evaluation, where required; and

(d) The application is filed within the following deadlines:

(i) In cases where a management evaluation of the contested decision is required:

a. Within 90 calendar days of the applicant's receipt of the response by management to his or her submission; or

b. Within 90 calendar days of the expiry of the relevant response period for the management evaluation if no response to the request was provided. The response period shall be 30 calendar days after the submission of the decision to management evaluation for disputes arising at Headquarters and 45 calendar days for other offices;

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3. The Dispute Tribunal may decide in writing, upon written request by the applicant, to suspend or waive the deadlines for a limited period of time and only in exceptional cases. The Dispute Tribunal shall not suspend or waive the deadlines for management evaluation.

*Dieng*

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... In the present case, Mr. Dieng submitted his request for management evaluation on 1 June 2018. The MEU's response should have been made within 45 calendar days or no later than 16 July 2018. However, the MEU responded to his request on 17 October 2018, which was more than 45 calendar days from the date of his request. Mr. Dieng filed his application with the UNDT on 7 November 2018, which is within 90 calendar days of the MEU's response but more than 90 calendar days from the date by which the MEU should have responded, that is 16 July 2018, and therefore was well beyond the deadline by which he should have filed his application, i.e. 15 October 2018.

... Therefore, this Tribunal

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Judgment