
UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2021/065

Judgment No.: UNDT/2022/45

Date: 18 May 2022

Original: English

Before: Judge Rachel Sophie Sikwese

Registry: Nairobi

Registrar: Abena Kwakye-Berko

BALAKRISHNAN MENON

v.

SECRETARY-GENERAL

Case No.: UNDT/NBI/2021/065

Judgment No.: UNDT/2022/045

Case No.: UNDT

b. The [redacted] of 8 February 2021 is a contestable administrative decision, since the decision, besides being in direct contravention with the binding applicable law, is in non-compliance with his contract of employment. The impugned decision has had an adverse legal consequence on his rights and entitlements, impeding his career progression and causing demonstrable economic prejudice. Thus, the contested decision falls within art. 2.1(a) of the UNDT Statute.

c. In accordance with staff rule 11.2(a), prior to filing the present application before the UNDT, he submitted the impugned decision to MEU. After consultation with the experts, MEU took note of the M [redacted] categorical undertaking in its decision dated 11 May 2021 and specifically recorded the M [redacted] s statement that it would carry out a classification review.

Case No.: UNDT/NBI/2021/065

Judgment

Case No.: UNDT/NBI/2021/065

Judgment No.: UNDT/2022/045

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(Signed)

Judge Rachel Sophie Sikwese

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