



' " ())) * "

1. **3r.** , ra4as" Neupane (ontested *efore t"e Un!ted Nat!ons O!spute Tr!*unal 5UNOT or O!spute Tr!*unal6 t"e de(!s!on to reass!gn ""!m from t"e pos!t!on of C"!ef of Eng!neer!ng &e(t!on+ at t"e , -7 le'el+ !t" t"e Un!ted Nat!ons 3ult!d!mens!onal 8ntegrated &ta*!!#!at!on 3!ss!on !n t"e Central Afr!(an %epu*!!(538NU&CA6 to t"e pos!t!on of C"!ef of &e(t!on+Central!#ed 9are"ouse+, -7 !t"n 38NU&CA:s 3!ss!on &upport O!' !s!on 53&O6.

2.)\$ Judgment on %e(e!' a*!!!t\$ No. UNOT;2022;101 5!mpugned Judgment6+ t"e O!spute Tr!*unal d!sm!ssed **3r.** Neupane:s appl!(at!on as not re(e!' a*!e .

3. **3r.** Neupane "as f!led an appeal *efore t"e Un!ted N

10. On 2/11/2021, Mr. Neupane's personnel file, as processed through the HR system, shows transfer from the position of Chief of Engineering & IT to the position of Chief of HR & Administration. In 38NU&CA.

11. On 30/11/2021, Mr. Neupane submitted a request for management evaluation (challenging his reassignment and requesting his reinstatement to his initial position of Chief of Engineering & IT. On 7/1/2022, the Chief of the Management Evaluation Unit (MEU) considered his request not eligible.

12. On 7/1/2022, Mr. Neupane filed an application before the UNOT.

13. On 1/1/2022, the UNOT issued Judgment on Appeal No. UNOT/2022/101 dismissing Mr. Neupane's application. The UNOT found that the (contested decision of reassignment was (communicated to Mr. Neupane at the latest on 7/3/2021 in unambiguous and unconditional terms. (In the 70-day deadline for requesting management evaluation began to run from that date and Mr. Neupane only filed a management evaluation request on 30/11/2021, his request was untimely. The UNOT (concluded that Mr. Neupane's application was thus not eligible.

14. Mr. Neupane appealed the impugned Judgment on 10/1/2022 and the (retained general filed his answer on 10/2/2023.

, - % %/

(

17. Mr. Neupane submits that the UNOT erred in fact and in law (finding that his application was not eligible since he had failed to timely submit his request for management evaluation. The UNOT failed to understand that (the decision Mr. Neupane (contested. (he never (challenged the reassignment decision. (In fact, he readily agreed to the reassignment and took up his new duties as assigned. (Instead, Mr. Neupane (challenged the structural demotion he had been subjected to. Mr. Neupane had been promised during a meeting held on 2/1/2020 that the Administration would take the necessary steps to get him (learned that the (held Central (employee) (od\$5=C%)6.

1/. The reassignment as thus (conditional on the Administration's compliance with the applicable regulations and rules. This is a legitimate concern because in field missions, promotions are affected through the roster system. 9. It is out of the ordinary for this new post, 3r. Neupane has no clear path to the O-1 level in this new field. 3r. Neupane had already been cleared for the post of Chief Engineer of the (upgraded) reassignment team. It is out of the ordinary for the 782(e) 4. 739515. 7396(n0. 3949(e) 26. 41. 6074(O) 9. 8(o) 17. 2597(U16. 47

36. The Court found that the UNOT's determination is final and there is no need to further assess the content of the Appellant's appeal.

37. The appeal is dismissed.

• &0-

37. The appeal is dismissed and Judgment No. UNOT/2022/101 is hereby affirmed.

Original and Authoritative Version: English

Decision dated this 27th day of 1 (to be 2023 in New Zealand).

+ & ,
Judge & "a", residing

+ & ,
Judge -ao

+ & ,
Judge Colgan

Judgment published and entered into the register on this 1st day of November 2023 in New Zealand.

+ & ,
Juliet E. Johnson, Registrar

