



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2010/38/
UNAT/1549
Judgment No.: UNDT/2010/164
Date: 16 September 2010
Original: ENGLISH

Before: Judge Shaw
Registry: Nairobi
Registrar: Jean-Pelé Fomété

SIROIS

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**JUDGMENT AND ORDER STRIKING
OUT**

Counsel for applicant:
Self-Represented

Counsel for respondent:
Marcus Joyce, ALS/OHRM

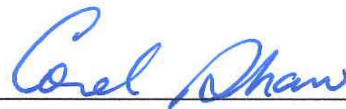
1. This case was transferred from the United Nations Administrative Tribunal (UNAT) to the United Nations Dispute Tribunal in Nairobi on 1 January 2010 pursuant to the provisions of section IV, paragraph 45 of United Nations General Assembly Resolution 63/253 and section 4 of ST/SGB/2009/11 on Transitional Measures Related to the Introduction of the New System of Administration of Justice.

2. On 9 September 2010, the Presiding Judge issued Order No. 174 (NBI/2010) to address issues that may have a bearing on the case proceeding to trial.

3. It has now come to the attention of the Tribunal that this case had been decided by UNAT on 23 December 2009 in Judgment No. 1483 (AT/DEC/1483). The Administrative Tribunal found in favour of the Applicant and ordered the payment of two months' net base salary, with interest, as compensation for the violation of his due process rights.

4. As the matter had been formally, although mistakenly, transferred to the UNDT in Nairobi and is registered in its records, it is appropriate to issue an order striking out the case so that this matter is formally closed on the court's docket and is properly recorded as such.

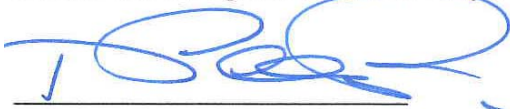
THE TRIBUNAL therefore **ORDERS** that the matter of *André Sirois v Secretary-General of the United Nations*, registered as UNDT/NBI/2010/38/UNAT/1549, be struck out.



Judge Shaw

Dated this 16th day of September 2010

Entered in the Register on this 16th day of September 2010



Jean-Pelé Fomété, Registrar, UNDT, Nairobi