

FIFTY-SEVENTH ORDINARY SESSION

In re AYYANGAR (No. 4)

(Application for review)

Judgment No. 707

THE ADMINISTRATIVE TRIBUNAL,

Considering the application for review of Judgment 632 filed by Mr. Seshadri Ayyangar on 6 March 1985, the reply of the World Health Organization (WHO) of 18 July, the applicant's rejoinder of 13 September and the WHO's surrejoinder of 4 October 1985;

Considering Article II, paragraph 5, of the Statute of the Tribunal;

Having examined the written evidence;

CONSIDERATIONS:

1. By its Judgment 632 the Tribunal made no order on the complainant's claim in respect of overtime performed in 1981, taking the view that the complainant had been compensated by equal time off. The complainant seeks review on the ground of error of fact and both parties acknowledge that the complainant had not been so compensated.
2. The WHO reconsidered the matter and on 22 May 1985 paid to the credit of the complainant the sum of 3,076.25 rupees as compensation for 41.5 hours of overtime worked in 1981. In the absence of any dispute as to the amount paid the only subsisting claim before the Tribunal relates to costs, to which the complainant is entitled, having been put to expense in seeking review.

DECISION:

For the above reasons,

The WHO is ordered to pay 250 United States dollars as costs to the complainant.

In witness of this judgment by Mr. André Grisel, President of the Tribunal, the Right Honourable the Lord Devlin, Judge, and the Right Honourable Sir William Douglas, Deputy Judge, the aforementioned have signed hereunder, as have I, Allan Gardner, Registrar.

Delivered in public sitting in Geneva on 14 November 1985.

André Grisel

Devlin

William Douglas

A.B. Gardner