

Judgement No. 9**Case No. 21 :**
Kehoe**Against: The Secretary-General
of the United Nations**

THE ADMINISTRATIVE TRIBUNAL OF THE UNITED NATIONS,

Composed of Lieutenant-General His Highness the Maharaja Jam Saheb of Nawanagar, President ; Mr. Rowland Andrews Egger, Vice-President ; Dr. Hamed Sultan ; Dr. Emilio Oribe, alternate member ;

Having been seized of the application filed by Miss Monika Kehoe on 30 July 1951 alleging the improper termination of her temporary-indefinite contract and of the Respondent's answer of 3 August 1951 ;

Having, in its judgement delivered in open hearing on 25 August 1951, pronounced upon the legal issues respecting the two points common to the group of cases pending before it ;

Having conferred *in camera* on 30 August with Counsel for both parties and obtained agreement upon the conduct of proceedings in individual cases ;

Having duly examined the personal dossiers maintained by the Bureau of Personnel in respect of each Applicant ;

Having considered the written evidence furnished by Counsel for the Applicants and Counsel for the Respondent in reply to the questions put by the Tribunal in public hearings on 25 August and 30 August 1951 ;

Pronounced in public hearing on 4 September 1951 the following judgement :

The Tribunal is of the opinion that the very special position occupied by Miss Kehoe in the Bureau of Personnel involves a relationship of confidence *vis-à-vis* the Director of that Bureau and that Miss Kehoe did not enjoy such confidence. In this case, these facts constitute adequate grounds for the termination of her temporary-indefinite contract.

It also appears that serious efforts were made to place Miss Kehoe in other positions for which her abilities were more suited, and that a specific offer was extended which was refused.

In these circumstances the Tribunal considers all of the elements of due process to have been satisfied and concludes that the application is not well founded.

The decision of the Administration is sustained and the case is dismissed.

Judged and pronounced in public hearing on 4 September 1951, at

New York, by the Administrative Tribunal composed of the members whose names are indicated above.

(Signatures)

Digvijaysinhji of NAWANAGAR
President

Mani SANASEN
Executive Secretary

Judgement No. 10

Cases Nos. 17 to 21 :
Howrani and 4 others

Against: **The Secretary-General
of the United Nations**

Statement by the Tribunal

The Tribunal notes the assertion made by the Respondent, in his answers to the questions put to him by the Tribunal in public hearing on 25 August 1951, that he is obliged to reserve his position with regard to the Tribunal's decision of 25 August and its consequences.

The Tribunal draws the attention of the Respondent to article 10, paragraph 2 of the Statute of the Tribunal, which provides that its judgements shall be final and without appeal.

Pronounced in public hearing on 4 September 1951.

(Initialed)

D. of N.
President

M. S.
Executive Secretary

Statement by Dr. Oribe

I have attended the deliberations and public hearings of the Tribunal on the individual cases Nos. 17 to 21 as an alternate member without vote during the period 26 August to 4 September 1951. I fully concur in all the judgements pronounced by the Tribunal today.

(Signature)

4 September 1951

Emilio ORIBE
