

## **ADBAT ANNOUNCEMENT OF FILING OF APPLICATIONS FOR YEAR 2022**

(Pursuant to Para. 15, Rule 6, ADBAT Rules of Procedure)

### **ADBAT Application No. 2022-01**

On 05 July 2022, the ADB Administrative Tribunal received electronically through its email address an Application with Annexes 1 to 8, which, after verification of their compliance with the filing requirements under the ADBAT Rules of Procedure, were formally transmitted under date 21 July 2022 to the Respondent Bank the filing of its Answer.

The Application seeks rescission and/or reversal and setting aside of Respondent's decision to dismiss the Applicant for serious inappropriate conduct and the reinstatement of the Applicant into service with the release and/or payment of all arrears which ought to have accrued in favor of the Applicant on account of compensation, benefits, perks privileges; or in the alternative, the release and/or payment of Applicant's salary and benefit which may accrue from the date of Applicant's dismissal up until the date of Applicant's mandatory retirement, including payment into the pension fund and the capacity to make contributions thereto as may be provide under the rules, as well as damages for injuries suffered and mental anguish, for Respondent to pay the costs incurred by Applicant in pursuing the case.

### **ADBAT Application No. 2022-02**

On 05 July 2022, the ADB Administrative Tribunal received electronically through its email address an Application with Annexes 1 to 5, which, after verification of their compliance with the filing requirements under the ADBAT Rules of Procedure, were formally transmitted under date 21 July 2022, to the Respondent Bank for the filing of its Answer.

The Application seeks rescission and/or reversal and setting aside of the Respondent's decision to impose disciplinary measures against Applicant for serious inappropriate conduct, and to recover from the Respondent damages/compensation for injuries suffered due to the irreparable damage to the Applicant's reputation among the ADB staff/colleagues and in the Applicant's social circle in view of the nature of the allegations levelled against the Applicant, damages/compensation for undue mental anguish suffered by the Applicant and the Applicant's family, as well as the legal costs incurred by the Applicant.

### **ADBAT Application No. 2022-03**

On 10 August July 2022, the ADB Administrative Tribunal received electronically through its email address an Application with Annexes 1 to 44, inclusive of submarkings, which, after verification of their compliance with the filing requirements under the ADBAT Rules of Procedure, was formally transmitted under date 19 August 2022 to the Respondent Bank for the filing of its Answer.

Apart from the plea for any preliminary or provisional measures, such as production of additional documents and the hearing of witnesses, the Application seeks the rescission of the Respondent's decision which "dismissed as '*without merit*'" Applicant's objections regarding the appointment to the position of Auditor General, as well as recovery from the Respondent Bank damages allegedly sustained by the Applicant for significant loss of career opportunity and future earning capacity, emotional distress and physical/mental stress,

breach of dignity, reputational harm and moral injury and inconvenience cause to the Applicant, including recovery of the costs in pursuing the appeal with the Tribunal.

#### **ADBAT Application No. 2022-04**

On 10 August 2022, the ADB Administrative Tribunal received electronically through its email address an Application with Annexes 1 to 16, inclusive of submarkings, which, after verification of their compliance with the filing requirements under the ADBAT Rules of Procedure, were formally transmitted under date 19 August 2022 to the Respondent Bank for the filing of its Answer. Apart from the plea for any preliminary or provisional measures, such as production of additional documents and the hearing of witnesses, the Application seeks (a) that the “Appeal 1 item ‘2’ Deputy Treasurer be reinstated to a *status quo ante*”; for the Administrative Tribunal to rescind President’s decision on the Appeals Committee’s recommendation to uphold the Respondent’s objection to the Appeals Committee’s competence, and that after reinstatement to a *status quo ante* the Applicant seeks to be allowed to furnish an application to the Administrative Tribunal directly and for the Tribunal to deliberate and decide upon the merits of the Applicant’s case without any further requirement for Administrative Review and Appeal; and (b) the recovery of damages allegedly sustained by the Applicant for significant loss of career opportunity and future earning capacity, emotional distress and physical/mental stress, breach of dignity, reputational harm and moral injury and inconvenience cause to the Applicant, including recovery of the costs in pursuing the appeal with the Tribunal.

#### **ADBAT Application No. 2022-05**

On 10 August 2022, the ADB Administrative Tribunal received electronically through its email address an Application with Annexes 1 to 37, inclusive of submarkings, which, after verification of their compliance with the filing requirements under the ADBAT Rules of Procedure, were formally transmitted under date 19 August 2022 to the Respondent Bank for the filing of its Answer.

Apart from the plea for any preliminary or provisional measures, such as production of additional documents and the hearing of witnesses, the Application seeks the expungement of the Applicant’s 2020 Annual Performance Review, as well as recovery from the Respondent Bank damages allegedly suffered by the Applicant “from the Respondent’s behavior resulting in the aggravation of underlying medical conditions and due to the prolonged effort required to preserve the [Applicant’s] credibility in his request for administrative review, the [Applicant] endured an inordinate amount of stress and distress whilst fulfilling his professional responsibilities,” including recovery of the costs in pursuing the appeal with the Tribunal.

#### **ADBAT Application No. 2022-06**

On 08 October 2022, the ADB Administrative Tribunal received electronically through its email address an Application with Annexes 1 to 22, inclusive of submarkings, which, after

verification of their compliance with the filing requirements under the ADBAT Rules of Procedure, were formally transmitted under date 14 October 2022 to the Respondent Bank for the filing of its Answer.

Apart from the plea for any preliminary or provisional measures, such request for anonymity, the Application seeks correction of performance ratings given to the Applicant which allegedly “were incorrect and made in breach of the requirements of the Administrative orders (AO) of the ADB, in breach of the terms of [Applicant’s] contract of employment and in breach of the precepts of administrative law, as applicable to the ADB,” seeking the adjustment of Applicant’s salary rates and ADB’s contribution to the pension, and moral damages for mental suffering, humiliation and health impact, as well as compensation “for time at nights and weekends in preparing all documents for Administrative Review, Appeal, and Tribunal.”

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