

ASIAN DEVELOPMENT BANK ADMINISTRATIVE TRIBUNAL

**Decision No. 4
(23 May 1994)**

**Mohandas K. Samuel
v.
Asian Development Bank**

**E. Lauterpacht, Chairman
F.P. Feliciano, Member
M.D.H. Fernando, Member**

1. The Applicant challenged the decision of the Bank to disallow a revision of his Performance Rating for the year 1989 from "Marginal" to "Fully Satisfactory."
2. On 30 March 1994 the Applicant sought the permission of the Tribunal to withdraw his Application as a mutually satisfactory agreement had been reached between the Applicant and the Bank, as set out in a memorandum dated 25 March 1994 from the Director, BPMSD, whereby the Bank approved a change in his Performance Rating for the year 1989 from "Marginal" to "Fully Satisfactory."
3. On 11 May 1994 the Bank informed the Tribunal that it had no objection to the withdrawal of the Application.

Decision:

Considering the agreement reached by the parties, the Tribunal unanimously decides to record the withdrawal of the Application.