

Title: Aldovino et al. vs. Secretary Rafael Alunan III, et al.

Facts:

The case involves a group of petitioners who were employees of the Ministry of Tourism (now Department of Tourism, DOT) in the Philippines. Their separation from service was due to the reorganization under Executive Order No. 120, effective January 30, 1987, which led to the issuance of various office orders declaring all positions vacant. The petitioners sought reinstatement and payment of back wages, asserting their plight was similar to previous cases (*Mandani v. Gonzales*, *Abrogar v. Garrucho, Jr.*, and *Arnaldo v. Garrucho, Jr.*) where the Supreme Court declared null and void the office orders issued pursuant to E.O. No. 120 and ordered the reinstatement of affected employees.

The procedural history of the case shows an exhaustive legal battle involving multiple petitions, motions, and interventions filed by various litigants affected by the DOT's reorganization. After the *Mandani*, *Abrogar*, and *Arnaldo* decisions, the petitioners and several intervenors sought similar relief. Their petition to the Supreme Court came after years of seeking remedies through administrative and protest actions, including filing complaints with the Department of Labor and Employment (DOLE) and joining pickets.

Issues:

1. Whether the separation of petitioners and intervenors from the service was pursuant to office orders declared void in *Mandani* and related cases.
2. Whether the claims of petitioners and intervenors are barred by laches.
3. Whether the petitioners and intervenors exhausted administrative remedies.
4. The proper computation of back wages for the petitioners and intervenors.
5. The applicability of the principle of equity in favor of the petitioners and intervenors.

Court's Decision:

The Supreme Court granted the petition for most petitioners and intervenors, ordered their immediate reinstatement without loss of seniority rights, and awarded back salaries computed under the new staffing pattern from the dates of their invalid dismissals, but not to exceed a period of five (5) years. The Court dismissed the petitions for intervenors where reinstatement was sought under different circumstances (e.g., resignations or terminations not under E.O. No. 120). It held that laches did not bar the petition due to the continued pursuit of remedies by the petitioners and intervenors and disregarded the failure to exhaust administrative remedies, aligning with the Court's discretion to address matters of public interest directly.

Doctrine:

The Supreme Court reiterated the principle that unconstitutional acts are void and do not afford any rights or impose duties; they are inoperative as if they had not been passed. Furthermore, the Court emphasized the doctrine of equity, stating that it may supplement but not replace the law, and it may be applied to prevent manifest injustice.

Class Notes:

- An unconstitutional act is considered void ab initio, providing no basis for any right to emerge or any duty to be imposed.
- The principle of laches involves equity and focuses on the unfairness of enforcing a claim due to a significant delay that disadvantages the other party.
- Administrative remedies need not always be exhausted before resorting to judicial action, especially in cases involving matters of public interest or where the administrative action is patently illegal.
- The doctrine of equity can be invoked to supplement the law, especially in scenarios where adhering strictly to legal provisions would result in manifest injustice.

Historical Background:

This case exemplifies the challenges faced by government employees during reorganizations following the issuance of executive orders in the Philippines. It highlights the judiciary's role in correcting administrative actions that affect employees' rights and underscores the balance between procedural statutes and principles of equity in pursuing justice.