

**JUAN ANDAN AND ASUNCION CRUZ-ANDAN, PETITIONER’S
AND APPELLANTS, VS. THE SECRETARY OF LABOR, JTTLIANO
ESTEELLA, EUGENIC AGUIREE, FERNANDO NAVARRO, ET AL.,
RESPONDENTS AND APPELL...**

G.R. No. L-18556. March 29, 1963

Ponente: LABRADOR, J.

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LABRADOR, J.:

This is an appeal from a judgment of the Court of First Instance of Bulacan, the Hon. Ambrosio T. Dollete, presiding, dismissing a petition for prohibition and certiorari filed by petitioners against the respondents-appellees.

On September 18, 1954, respondents-appellees Eugonio Aguirre, Fernando Navarre, Eufemio Itufalde, Aurelio de la Cruz, Eladio Fortez, Menandro de Guzman and Ismael Cruz filed thru the provincial fiscal two (2) separate informations against Asuncion Cruz and Juan Andan, the herein petitioners-appellants, docketed as Criminal Cases Nos. 2099 and 2100 of the Court of First Instance of Bulacan, for violation of the Minimum Wage Law and of the Eight Hour Labor Law.

After a joint trial the court on September 12, 1958 rendered judgment finding Asuncion Cruz guilty in both cases and sentencing her to pay a fine of P250.00 in each case, Juan Andan was acquitted in both cases.

On November 10, 1958, respondents-appellees filed a complaint for unpaid wages against petitioners-appellants with Regional Office No. 3 of the Department of Labor. A motion to dismiss was filed on the ground of res judicata and for lack of jurisdiction to try or hear the complaint. This motion was denied by the Hearing Officer. On January 12, 1959, petitioners-appellants filed a motion for reconsideration of the order denying then motion to dismiss. The Hearing Officer denied the motion for reconsideration. After trial a decision dated February 17, 1959 was rendered sentencing the petitioners herein to pay the respondents the sum of 118,904.00 for overtime and unpaid wages and the sum of P1,890.00 as attorney's fees. On April 6, 1959, petitioners-appellants filed a petition for extension of time to appeal with the office of the Labor Standards, Bureau of Labor, which petition was denied in an order issued by the respondent Hearing Officer, dated April 6, 1959 and who at the same time issued an order directing the issuance of writ of execution.

On April 24, 1959, petitioners filed the petition for Certiorari and Prohibition with Preliminary Injunction in the Court of First Instance of Bulacan. In an order dated June 5, 1959, the said court directed the issuance of a writ of preliminary injunction enjoining the respondents from carrying out the decision of Regional Office No. 3 of the Department of Labor. The writ was issued on August 8, 1959. On January 16, 1961, the lower court rendered the decision dismissing the action. So, it also dissolved the writ of preliminary injunction.

In this appeal appellants contend that the lower court erred in:

- Holding that the defense of res judicata cannot be availed of in the proceedings had before Regional Office

No. 3 of the Department of Labor; and

- Holding that said Regional Office No. 3 had jurisdiction to hear and try the complaints filed by the respondents-appellees before it.

On the question of jurisdiction of the Regional Office No. 3 of the Department of Labor, the Court finds and declares that said Regional Office has no jurisdiction to hear and try the complaint filed before it by the appellees. In the cases of *Corominas, Jr., et al. vs. Labor Standards Commission, et al.*, G.R. No. L-14887, *Manila Central University vs. Calupitan, et al.*, G.R. No. L-15483; *Wong Chun vs. Carlim, et al.*, G.R. No. L-13940 and *Balrodgan Co., Ltd. vs. Fuentes, et al.*, G.R. No. L-15015, jointly decided by the Supreme Court on June 30, 1961, it was held that the provision of Reorganization Plan No. 20-A, particularly Sec. 25 thereof, granting regional offices of the Department of Labor original and exclusive jurisdiction to consider money claims including overtime pay, is not authorized, by the provisions of Republic Act 997 which creates and grants power to the Reorganization Commission. For this reason regional offices have been declared in a long line of decisions without jurisdiction to consider money claims filed by laborers. The second assignment of error is therefore sustained.

As regional offices of the Department of Labor have no jurisdiction to consider claims of the respondents-appellees, it is unnecessary for Us to pass upon the first ground of appeal.

Wherefore the decision appealed from is hereby reversed, the decisions rendered by Regional Office, No. 3 are hereby set aside and all proceedings therein in relation to the claims against petitioners as well as the orders issued by said Regional Office No. 3 are hereby declared null and void. With costs against respondents-appellees.

Bengzon, C. J., Padilla, Bautista Angelo, Concepcion, Reyes, J. B. L., Barrera, Paredes, Dizon and Makalintal, JJ., concur.

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