

JAIME VILLAFUERTE, PETITIONER AND APPELLEE, VS. ELIAS T. MARFIL, DEPUTY SHERIFF OF QUEZON CITY, JULIAN E. ESTELLA, HEARING OFFICE OF REGIONAL OFFICE 3, DEPARTMENT OF LABOR AND G...

G.R. No. L-17775. February 28, 1963

Ponente: PADILLA, J.

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PADILLA, J.:

On 7 September 1959, in the Regional Office 3 of the Department of Labor, Gorgonia Quijano filed a complaint against Jaime Villafuerte to collect unpaid wages for services rendered as maid from 8 April 1957 to 2 September 1959 at the rate of P15 a month (RO3 LS case No. 2436; Annex A). At the investigation conducted on 22 September 1959, Jaime Villafuerte appeared and denied the claim, alleging that the same already had been settled (Annexes B and B-1). The next day, 23 September, upon suggestion by the investigating officer, Pedro P. Pelaez, the employer Jaime Villafuerte to avoid being disturbed, distracted and bothered in the performance of his duties as Chief, Special Services, Philippine Constabulary, especially because of the approaching general elections to be held on 10 November 1959, consented to give P200 to the eldest sister of the complainant. A postal money order No. 27172 for P200 was drawn in favor of the complainant's eldest sister, but labor attorney Pedro P. Pelaez refused to accept it, for the reason that what was agreed upon was cash payment. The hearing of the complaint was set for 30 October 1959. Jaime Villafuerte failed to attend the hearing, because he had to attend a staff conference in the P.C. headquarters on that day but sent Captain Marcos Betacura, his executive officer, to appear and ask for postponement of the hearing. Hearing officer Julianio E. Estella, to whom the case had been transferred, denied the request for postponement and declared Jaime Villafuerte in default. On 13 November 1959 the hearing officer rendered judgment ordering Jaime Villafuerte and his wife, jointly and severally, to pay Gorgonia Quijano the sum of P332, the net after deducting P101.00 already given the complainant from the sum claimed to be due her, legal interest from 8 October 1959 until it, should have been fully paid (Annex C). On 14 December 1959 Jaime Villafuerte and his wife moved for the setting aside of the order of default and the judgment rendered (Annex D). On 8 January 1960 the motion was denied (Annex E). On 22 January, the couple appealed to the Labor Standard Commission (Annex F), which appeal was allowed by the hearing officer Julianio E. Estella (Annex G). On 10 March, labor attorney Pedro P. Pelaez, in behalf of the complainant, moved for the dismissal of the appeal, on the ground that a party declared in default has lost his personality in court and could not appeal (Annex H). On 18 March, the hearing officer Julianio E. Estella reconsidered and set aside his previous allowance of the appeal and dismissed it (Annex 1). On 18 April, the couple filed a petition for relief under Rule 38 of the Rules of Court (Annex J), which was denied by the hearing officer on 20 April. (Annex K). On 25 April, from the denial of the petition for relief the couple appealed (Annex L), but on 9 May 1960 the appeal was disallowed (Annex M).

Before the appeal from the denial of the petition for relief was disallowed, or on 22 March 1960 the hearing officer granted a motion for execution, of the judgment rendered on 13 November 1959 (Annex N) and on 8 April

1960 the sheriff of Quezon City attempted to execute it (Annex O). To enjoin the execution thereof, on 9 May 1960 Jaime Villafuerte filed in the Court of First Instance of Rizal (Quezon City) a petition for a writ of preliminary injunction, which was amended on 18 May and allowed on 15 June 1960. On 3 June, the labor officials Julianio E. Estella and Pedro P. Pelaez filed their answer, to which Jaime Villafuerte replied on 11 June. On 23 June, the former answered the reply. On 28 June, the trial court issued a writ of preliminary injunction upon a bond of P500 filed by Jaime Villafuerte, enjoining the execution of the judgment above referred to. On 1 September, the parties entered into a stipulation of facts, upon which they submitted the case for judgment. On 19 October, the court rendered judgment declaring null and void the judgment rendered on 13 November 1959 by the hearing officer Julianio E. Estella and enjoining the respondents from executing the judgment upon a bond of P500 to be approved by the court, with costs against them.

The respondents have appealed.

The sole issue to determine in this appeal is whether the provisions of reorganization plan No. 20-A, particularly section 25, which grant original and exclusive jurisdiction to the regional offices of the Department of Labor to hear and decide money claims of laborers, like unpaid wages, are valid or not.

This is a settled question. This Court already has ruled and held that the reorganization plan No. 20-A referred to above is null and void.^[1]

The judgment appealed from is affirmed, without pronouncement as to costs.

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

[1]Corominas, Jr. vs. Labor Standards's Commision, G.R. No. L-14837, 30 June 1961; De Vera vs. Supitran, G.R. No. L-13945, 31 July 1961; and Davao Far Eastern Commercial Co. vs. Montemayor, G.R. No. L-16581, 29 June 1962.

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