

WHERE THE EXECUTION SALE OF REAL PROPERTY IS DEFERRED BY REASON OF ANY ACTION FILED BY ANY PARTY, THE PETITIONER IS REQUIRED TO DEPOSIT A REFUNDABLE AMOUNT OF P20,000 TO COVER T...

NLRC En Banc Resolution No. 06-14, s. 2014, November 12, 2014

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Adopted: 12 November 2014

Date Filed: 06 March 2015

WHEREAS, Section 1 (c), Rule VI of the 2012 NLRC Sheriff's Manual on Execution of Judgment Provides that where the assessed value of the real property subject of execution exceeds P50,000.00, the notice of sale must be accordingly published;

WHEREAS, Section 7, Rule X of the 2011 NLRC Rules of Procedure, as amended, provides that no temporary restraining order or writ of preliminary injunction, shall be issued except on the condition that petitioner shall first file an undertaking to answer for damages and post cash bond in an amount as may be determined by the Commission;

WHEREAS, if the execution sale of real property is deferred by reason of any action filed by a party, including the issuance of a temporary restraining order (TRO), there would be a need to republish the notice of sale in the event that the action is found unmeritorious;

WHEREFORE, RESOLVED AS IT IS HEREBY RESOLVED, that where the execution sale of real property is deferred by reason of any action filed by any party, the petitioner shall be required to deposit a refundable amount of P20,000.00 to cover the cost of republication of the notice of auction sale, if necessary.

Signed this 12[th] day of November 2014, Quezon City, Philippines.

(SGD) GERARDO C. NOGRALES
Chairman

(SGD) GREGORIO O. BILOG III
Presiding Commissioner

(SGD) ALEX A. LOPEZ
Presiding Commissioner

(SGD) HERMINIO V. SUELO
Presiding Commissioner

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(SGD) DOMINADOR B. MEDROSO, JR.
Commissioner

Attested by:

(SGD) ELENITA F. CRUZ
Executive Clerk of Court IV

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