SPURIOUS/FAKE SURETY BOND

NLRC EN BANC RESOLUTION NO. 05-13, October 09, 2013

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WHEREAS, appeal bond in labor case is intended to assure the workers that the monetary award will be given to them in the event that they will finally prevail in a case;

WHEREAS, it has been observed that some bonding companies are refusing to pay the judgment award on the ground that the surety bond is spurious/fake;

WHEREAS, refusal by a bonding company on the ground that the posted surety bond is fake/spurious can neither extinguish its solidary liability nor suspend execution proceedings. The welfare of the workingmen should be the primordial consideration.

WHEREFORE, RESOLVED AS IT IS HEREBY RESOLVED, that notwithstanding refusal of a bonding/surety company to pay on the ground that the bond is spurious/fake, execution of final judgment against the surety bond shall proceed unless enjoined by a higher court.

Signed this 9th day of October 2013 at Tagaytay City, Philippines.

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