

KAPISANAN NG MGA MANGGAGAWA SA MANILA RAILROAD COMPANY, ET AL., PETITIONERS, VS. COURT OF INDUSTRIAL RELATIONS, ET AL., RESPONDENTS.

G. R. No. L-18969. April 24, 1963

Ponente: DIZON, J.

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DIZON, J.:

Petitioner Polingon is an employess of respondent Manila Railroad Company and a member of his co-petitioner, the Kapisanan ng mga Manggagawa sa Manila Road Company. On October 10, 1954, he was suspended from his employment by reason of the filing of criminal charges for qualified theft against him in the Court of First Instance of Pangasinan (Criminal Cases Nos. D-175 and D-176). After his acquittal in said cases on April 16, 1959, he was reinstated to his former position but without backwages, for which reason he filed a petition with the respondent Court of Industrial Relations to recover such backwages from his employer. The latter moved to dismiss the petition on the ground that said court had no jurisdiction over its subject matter. On August 25, 1961, the court dismissed the petition on said ground. Subsequently, Court en banc denied petitioner's motion for reconsideration. Hence, this appeal.

Upon the facts stated above, Polingon's claim is a mere money claim not within the jurisdiction of the respondent court to adjudicate, it being clear that it involves no charge of unfair labor practice against his employer (Cagalawan vs. Customs Canteen, G. R. No. L-16031, October 31, 1961).

Wherefore, the orders appealed from are hereby affirmed, with costs.

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

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