

FELIX LECTURA, PETITIONER AND APPELLEE, VS. REGIONAL OFFICE NO. 3, DEPARTMENT OF LABOR, ET AL., RESPONDENTS AND APPELLANTS.

G.R. No. L-15582. July 31, 1961

Ponente: CONCEPCION, J.

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CONCEPCION, J.:

These are three (3) separate cases, with a common issue: the legality of Reorganization Plan No. 20-A.

Case G. R. No. L-15582 is an action for certiorari and prohibition, with preliminary injunction, commenced in the Court of First Instance of Manila, to nullify a "decision" of respondent Leonardo Gonzales, as Hearing Officer of Regional Office No. 3 of the Department of Labor—sentencing petitioner Felix Lectura and one Clemente Moseros to pay specified amounts to respondents Cirilo Oseo, Pedro Oseo, Perfecto Antillan, Jorge Andrada, Juan Arca, Juanito de la Peña, Arturo Oseo, Andres Gerola, Eliseo Jermias, Tomas Morates, Martin Hawapen and Protacio Belen as "wages due and overtime from November 28, 1957 to December 23, 1957 * * * separation pay, pay for three holidays and unpaid wages"—as well as a writ of execution of said "decision" upon the ground, among others, that Reorganization Plan No. 20-A—pursuant to which said office was created and the proceedings leading to said "decision" and to the issuance of the aforementioned writ of execution were held—is unconstitutional, null and void. In due course, said court rendered judgment for petitioner Lectura, in view of which the case is now before Us on appeal taken by the aforementioned respondents.

Case G. R. No. L-16061 is, likewise, an action for certiorari, with preliminary injunction, instituted in the same court. It appears that, on or about May 6, 1957, respondents Gerardo Haramilla and Rufino Joven had filed with said Regional Office No. 3, a complaint for differential pay, overtime, unpaid salaries and separation pay, claimed to be due them from petitioner Benjamin Leung, as their alleged employer from 1954 to 1957; that, after hearing both parties, respondent Paulino S. Perez, as Hearing Officer of said Regional Office, rendered separate "decisions"—allegedly prepared by the Regional Administrator of said office, respondent F. A. Fuentes—against petitioner Leung, who appealed therefrom to the Labor Standards Commission, of which respondent Ruben F. Santos is the Director; that, said "decisions" were, in due course, affirmed by the latter, whose action was, in turn, affirmed by said Commission sitting en banc, on appeal taken by Leung; that he, accordingly, gave notice of appeal and prayed that the cases be forwarded to the Court of First Instance of Manila, but the Commission refused to do so upon the ground that he had failed to file an appeal bond and pay the corresponding docket fee within the reglementary period; that he filed a motion for reconsideration, with a request for extension of time to file the appeal bond and pay the docket fee, for the reason that his failure to do so before was due to mistake, inadvertence and excusable neglect; that this motion was denied by the Commission; and that, thereupon, respondents Haramilla and Joven filed a motion for execution of said "decisions". Accordingly, Leung began this action to annul the proceedings above referred to and to enjoin respondent Macario Ofilada, as Sheriff of the City of Manila, from executing the aforementioned "decisions", upon the ground, among others, that Reorganization Plan No. 20-A is unconstitutional. After due hearing, the Court of First Instance of Manila rendered judgment as

prayed for by Leung. Hence, this appeal by the respondents.

Case G. R. No. L-16685 is an original action for certiorari and prohibition, with preliminary injunction. It is alleged in the petition therein that on September 8, 1959, respondents Gonzalo Samonte, Pelagio Samonte and Leonardo Dizon, filed with said Regional Office No. 3, of which respondents Jose Arnado and Meliton C. Parducho are Acting Regional Administrator and Hearing Officer, respectively, a complaint for overtime compensation and terminal pay allegedly due them as laborers-painters of petitioners Regina Incorporated and Jose de Leon, for specified periods (from 1934 to 1941, and from 1946 to 1959, as regards Gonzalo Samonte; from 1931 to 1941, and from 1946 to 1959, as to Pelagio Samonte; and from 1937 to 1941, and, then from 1946 to 1959, as to Leonardo Dizon); that said petitioners moved to dismiss the complaint, upon the ground that said Regional Office has no jurisdiction over the subject matter of the action, that said respondents-claimants have no cause of action and that the same is barred by the statute of limitations; that respondent Parducho denied this motion and issued an order dated February 10, 1960 setting the case for hearing; and that said respondents had thus acted without jurisdiction and evinced the intent to act further without jurisdiction, upon the authority of Reorganization Plan No. 20-A, which is unconstitutional, in view of which petitioners prayed that, after due hearing, said order of February 10, 1960 be annulled and that, meanwhile, a writ of preliminary injunction issue to restrain the enforcement of said order. Said writ was issued by this Court, upon the filing of a bond for P500.

In their answer to the petition, respondents in said case G. R. No. L-16685 alleged, inter alia, that said Reorganization Plan is perfectly valid and that the petition herein has been prematurely filed, for petitioners had not exhausted the administrative remedies prescribed in said Plan, namely, appeal to the Labor Standards Commission, whose decision is, in turn, appealable to the proper court of first instance.

In our recent decision in *Corominas vs. Labor Standards Commission*, *Manila Central University vs. Calupitan*, *Wong Chun vs. Diego Carlim and Balrodgan Co., Ltd. vs. F. A. Fuentes*, supra, p. 551, we held that the aforementioned Reorganization Plan No. 20-A, granting to the regional offices of the Department of Labor original and exclusive jurisdiction over money claims of laborers "is null and void", for said Department had no such authority at the time of the approval of Republic Act No. 997, and the authority vested by the same upon the Government and Survey and Reorganization Commission—which prepared the Reorganization Plan in question—is limited to the promotion of "the better execution of the laws, and the more effective management of the government, and more expeditious administration of public business" and of "economy", as well as of "the efficiency of the operations of the government", and does not include the power to confer judicial functions to the aforementioned Department.

Wherefore, the decisions appealed from in G. R. Nos. L-15582 and L-16061 are hereby affirmed, the writs prayed for in G. R. No. L-16685 are granted, and the writ of preliminary injunction issued in the latter case made permanent, without special pronouncement as to costs. It is so ordered.

Bengzon, C.J., Padilla, Labrador, Reyes, J.B.L., Barrera, Paredes, Dizon, and Natividad, JJ., concur.

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