

BENGUET CONSOLIDATED, INC., PETITIONER, VS. COTO LABOR UNION (NLU), ET AL., RESPONDENTS.*G.R. No. L-17202. April 29, 1961*

Ponente: BAUTISTA ANGELO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/5965f0040e6a/>**BAUTISTA ANGELO, J.:**

Sometime in 1956 a dispute arose between petitioner Benguet Consolidated, Inc. and respondent Coto Labor Union (NLU) concerning certain demands made by the latter. When the Secretary of Labor failed to settle the case amicably, he certified the same to the Court of Industrial Relations, which was docketed as Case No. 1029-V, and immediately it was taken cognizance of by its presiding judge, Hon. Jose S. Bautista.

Shortly thereafter, petitioner filed a motion to dismiss on the ground of lack of jurisdiction for the reason that the case having been endorsed by the Secretary of Labor pursuant to Section 16 (c) of the Minimum Wage Law, it should be heard not by a single judge but by the court en banc. Respondent judge denied the motion, and its appeal to the court en banc having been denied, petitioner elevated the case to us which led this Court to promulgate a decision on May 29, 1959 in G. R. No. L-12394,[*] the pertinent portion of which reads as follows:

"We agree with the claim of petitioner that whenever the Secretary of Labor endorses a dispute to the Court of Industrial Relations concerning a demand for minimum wage which involved an actual strike, the same should be acted upon by the court en banc as provided for by law [Section 16 (c), Republic Act 602], but this claim is now of no consequence it appearing that the decision of Judge Bautista was affirmed by the court en banc."

Upon the receipt of our decision denying said petition, the trial judge set the case for hearing on July 29, 1960. Six days before the scheduled trial, however, petitioner found that no formal complaint and answer were filed therein and so it moved for postponement of the trial stating that the filing of said pleadings is necessary in order that the issues may be properly joined. Again, on July 26, 1960, petitioner filed a supplemental motion calling the attention of respondent judge to the ruling of this Court in the above-cited case (G. R. No. L-12394) that this controversy can only be acted upon by the court en banc, and not by him alone; so that if the calendar of the court would not permit a hearing of the case en banc, the same should be postponed. Respondent judge denied both motions on July 27, 1960, and pending determination of petitioner's urgent motion for reconsideration before the court en banc, the former proceeded with the trial manifesting that he will receive the evidence only as a trial court or representative of the court en banc. This move of respondent judge prompted petitioner to interpose the present petition raising as main issue whether the case can be heard by a single judge or by the court en banc only.

As held by us in the former controversy between the same parties, in cases of this nature the industrial court shall act en banc in rendering the decision as provided by Section 16 (c) of Republic Act 602. But this does not necessarily mean that all the judges should sit for the reception of the evidence, or that the evidence should be received by the court en banc. It is enough that one judge be assigned to receive the evidence who will submit his report to the court en banc for deliberation and decision. To literally interpret the law as petitioner wants us to do, that is, to have all the judges sit during the trial, would not only be cumbersome and inexpedient but will jeopardize the functions of the other judges in trying the cases pending before them. This cannot be the

intendment of the law.

Anent the contention of petitioner that a formal complaint and answer should first be filed before proceeding with the trial in order that the issues may be properly joined, suffice it to state that such is unnecessary for when the Secretary of Labor certified the case to the industrial court he already specified in his certification the points he wanted to be passed upon by the court. What is important is to have the case set for hearing immediately in order that it may be decided within the period prescribed by law.[1]

Wherefore, petition is denied. The order appealed from is affirmed, without costs. The preliminary injunction issued by this Court is hereby dissolved.

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

[*] 105 Phil., 915.

[1] "The decision shall be rendered by the court en banc within 15 days after the case has been submitted for determination" [Section 16 (c), Republic Act 602].

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.