

GATA DAKU MULTI-PURPOSE COOPERATIVE, PETITIONER, VS. THE NATIONAL LABOR RELATIONS COMMISSION (8TH DIVISION), NOEL H. PANDERO, IRIS R. MARTIZANO, RAEGIL KEN A. TAMPARONG, ELMA D....

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BORJA, J.,:

On March 6, 2014,[1] this Court denied due course to the instant Petition for Certiorari on the following grounds:

1. There is no Written Explanation why the petition was filed and served by mail in violation of Sec. 11, Rule 13, Revised Rules of Civil Procedure;
2. There is incomplete allegations of material dates since the date of receipt of assailed Resolution dated October 31, 2013 and the date of filing of MR were not indicated in violation of Sec. 3 (2nd par.) Rule 46, supra;
3. Pertinent documents such as the Motion for Reconsideration filed before the NLRC, the Complaint filed before the Labor Arbiter and the Decision rendered therein which are material portions of the record referred to in the Petition were not appended thereto in violation of Sec. 3 (3rd par.), Rule 46, supra.[2]

In its motion for reconsideration, petitioner pleads for the relaxation of the technical rules of procedure.[3]

The law abhors technicalities that impede the cause of justice. The primary function of procedural rules is to pursue and not defeat the ends of justice. The circumstances of this case present compelling reasons to disregard petitioner's procedural lapses and to allow it to properly present its case in order to pursue the ends of justice.[4]

In their motion for reconsideration, petitioners have rectified the above noted defects.[5] Thus, this Court GRANTS the motion and REINSTATES the petition for Certiorari.

Without necessarily giving due course to the petition for certiorari, the Court hereby DIRECTS the respondents to file comment (not a motion to dismiss) thereon, within ten (10) days from notice, to which the petitioners may file a Reply within five (5) days from the receipt of respondents' Comment.

SO ORDERED.

Badelles, and Perez, JJ., concur.

[1] Rollo, pp. 27-32.

[2] Rollo, pp. 42-44.

[3] Rollo, pp. 45-51.

[4] Piglas Kamao (Sari-Sari Chapter) v. National Labor Relations Commission, 409 Phil. 735, 737 (2001).

[5] Rollo, pp. 52-78 and pp. 88-112.

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