

ZUPHYR MANPOWER SERVICES, INC., ROST START OCEAN VESSELS MANAGEMENT CO., INC., AND REY A. DINGLASAN IN HIS CAPACITY AS PRESIDENT, PETITIONERS, V. LIBERATO ENRIQUEZ COMIA, RESPON...

Ponente: LOPEZ, J.

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LOPEZ, J.:

In this petition for certiorari[1] under Rule 65 of the Rules of Court, petitioners assail the November 15, 2013[2] and the January 30, 2014[3] Resolutions of the National Labor Relations Commission for having been issued with grave abuse of discretion amounting to lack or in excess of jurisdiction. The petition, however, shows the following defects:

1. The registry return receipts as proofs of service of the copies of the petition to the adverse parties are not attached;
2. The jurat of the Verification[4] is defective because it does not show a competent evidence of affiant's identity, other than the Community Tax Certificates pursuant to A.M. No. 02-8-13-SC, February 19, 2008;
3. There is no Affidavit of Service;

Section 11, Rule 13 and Section 3, Rule 46 of the Rules of Court provide:

SEC. 11. Priorities in modes of service and filing. - Whenever practicable, the service and filing of pleadings and other papers shall be done personally. Except with respect to papers emanating from the court, a resort to other modes must be accompanied by a written explanation why the service or filing was not done personally. A violation of this Rule may be cause to consider the paper as not filed.

SEC. 3. Contents and filing of petition; effect of non-compliance with requirements. - xxx

It shall be filed in seven (7) clearly legible copies together with proof of service thereof on the respondent with the original copy intended for the court indicated as such by the petitioner, and shall be accompanied by a clearly legible duplicate original or certified true copy of the judgment, order, resolution, or ruling subject thereof, such material portions of the record as are referred to therein, and other documents relevant or pertinent thereto. xxx

The failure of the petitioner to comply with any of the foregoing requirements shall be sufficient ground for the dismissal of the petition.

Considering the petitioners' failure to comply with the requirements for a petition for certiorari, the instant petition is DISMISSED.

SO ORDERED.

Reyes, Jr., (Chairperson) and Inting, JJ., concur.

[1] Rollo, pp. 3-13.

[2] Id., pp. 90-97.

[3] Id., pp. 98-99.

[4] Id., p. 13.

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