

**PHILIPPINE SUGAR INSTITUTE (PHILSUGIN), PETITIONER, VS.
ASSOCIATION OF PHILSUGIN EMPLOYEES (ASPEM) AND FRANCISCO
L. LIMSON, AND COURT OF INDUSTRIAL RELATIONS, RESPONDENTS.**

G.R. No. L-34081. August 19, 1982

Ponente: FERNANDO, C.J.

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FERNANDO, C.J.:

This is a petition for review from a decision of the defunct Court of Industrial Relations by the Philippine Sugar Institute from its resolution on a motion for reconsideration, which in effect sustained the claim of private respondent, Association of Philsu-gin Employees, that an unfair labor practice having been committed by petitioner, a complaint to that effect should be duly heard. The alleged act imputed to it was that of entering into a return-to-work agreement with a rival labor union, also composed of its employees. This was done during the pendency of a petition by respondent Union for the holding of a certification election. The appeal was primarily based on the lack of jurisdiction of respondent Court of Industrial Relations in view of its function being governmental in character and, therefore, beyond the scope of its authority.

The need for passing upon such a contention is obviated by the fact that under Presidential Decree No. 388, the Philippine Sugar Institute was abolished and absorbed by the then newly created Philippine Sugar Commission.[1] It may be assumed, therefore, that respondent Union, the Association of Philsugin Employees, has likewise ceased to exist. No useful purpose would be served then by passing on the merits of the appeal.

WHEREFORE, the case is dismissed for being moot and academic.

Aquino, Concepcion, Jr., Guerrero, Abad Santos, De Castro, and Escolin, JJ., concur.

Barredo, J., no part.

[1] Presidential Decree No. 388 was issued in 1974. It was amended thereafter by Presidential Decree No. 775 (1975) and Presidential Decree No. 1192 (1977).

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