

**EC INTERNATIONAL TRAVEL AND TOURS/FRANKLIN HERNANDEZ,
PETITIONER, V. BENEDICTO L. JIMENA, NATIONAL LABOR
RELATIONS COMMISSION, RESPONDENTS.**

Ponente: DE GUIA-SALVADOR, R., J.

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DE GUIA-SALVADOR, R., J.:

Filed pursuant to Rule 65 of the 1997 Rules of Civil Procedure, the instant petition for certiorari seeks to reverse and set aside the March 31, 2014 Resolution[1] of the National Labor Relations Commission in LAC No. NCR Case No. 09-13047-12 which granted private respondent's motion for reconsideration, reversed and set aside its February 27, 2014 Decision[2] and reinstated the August 5, 2013 Decision[3] of the Labor Arbiter which in turn ordered petitioner to pay private respondent the amount of P7,695.00 representing his pro-rated 13[th] month pay.

A perusal of the petition shows the following infirmities which warrant its outright dismissal.

First, the petition contains no specific statement of material dates showing when petitioners received copy of the February 27, 2014 Decision of the NLRC and when a motion for reconsideration thereof was filed, contrary to Section 3, Rule 46 of the Rules.

Second, the jurat does not comply with the Notarial Rules on Competent Evidence of Identity as the Notary Public failed to indicate the date of issue of his MCLE compliance.

Third, the dates of issue of petitioner's counsel's IBP official receipt and PTR numbers are not current, as required by Bar Matter No. 2876, dated September 26, 2000.

Fourth, copies of the following relevant pleadings and other material portions of the record as would support the allegations of the petition are not appended thereto, contrary to Section 3, Rule 46 of the Rules, namely (1) private respondent's September 3, 2012 Complaint for non-payment of 13[th] month pay, (2) the parties' respective Position Papers, (3) their respective Replies, (4) petitioner's Memorandum of Appeal, and (5) private respondent's answer/comment thereto.

As a party invoking the Court's jurisdiction, petitioner should append all parts of the records which are relevant, necessary or important in whatever way to facilitate the review and evaluation of the issues raised in the petition.[4] Under Section 3, Rule 46 (para. 6), the failure to comply with any of the requirements regarding the contents of and the documents which should accompany the petition shall be cause for the dismissal thereof.

WHEREFORE, the petition for certiorari is DENIED DUE COURSE and accordingly DISMISSED.

SO ORDERED.

Garcia and Bueser, JJ., concur.

[1] Rollo, pp. 8-9.

[2] Ibid., pp. 17-22.

[3] Ibid., pp. 12-14.

[4] B.E. San Diego, Inc. vs. Alzul, G.R. No. 169501, June 8, 2007.

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