

ARR TRANSPORTATION INC. AND CESAR T. RUBIO, PETITIONERS, V. EDWIN ASPERA AND DENNIS DEJUCOS, PRIVATE RESPONDENTS.

Ponente: CRUZ, R.A., J.

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CRUZ, R.A., J.:

An initial examination of the Petition for Certiorari filed by petitioners shows the following defects:

- (1) Failure of petitioners' representative to disclose the material dates as to when the NLRC Resolution dated December 26, 2013 was received and when petitioners' Motion for Reconsideration was filed with the NLRC, in violation of Section 3, Rule 46 of the Rules of Court;
- (2) Jose S. Dalumpines, the person who signed the petition as the petitioners' alleged representative, does not appear to be a member of the bar, in violation of Section 34, Rule 138 of the Rules of Court;
- (3) Cesar T. Rubio, one of the petitioners who signed the attached Verification/Certification Against Forum-Shopping, claims to be the General Manager of the Corporation, but no board resolution or secretary's certificate was submitted showing that he was duly authorized by petitioner corporation to sign in its behalf, in violation of Section 3, Rule 46 of the Rules of Court. The certification against forum shopping should be signed by all the petitioners in a case. The signing by only one of them is insufficient.[1]
- (4) Petitioners failed to attach to the petition copies of the other pleadings filed before the labor arbiter, again in violation of Section 3, Rule 46 of the Rules of Court.

Failure to comply with any of the requirements mentioned in Section 3, Rule 46 of the Rules of Court is sufficient ground to dismiss the petition. In view of the numerous fatal defects in the petition, the same is accordingly DISMISSED.

SO ORDERED.

Abdulwahid (Chairperson) and Barza, JJ., concur.

[1] DBP v. Court of Appeals, G.R. No. 147217, October 07, 2004, citing Docena v. Lapesura, G.R. No. 140153, March 28, 2001, 355 SCRA 658.

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