

COCA-COLA BOTTLERS PHILS., INC., VS. RONALD SALAGUINTO VITUG, RAFAEL NOCHE BIASON, ROMEO DOMINGO RUIZ, JR., ROLANDO QUILLAMAR REBUSTES, AND NATIONAL LABOR RELATIONS COMMISSION, ...

Ponente: LAMPAS PERALTA, J.

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LAMPAS PERALTA, J.:

Before the Court is a “Manifestation and Motion” dated May 7, 2014[3] filed by Coca-Cola Bottlers Phils., Inc., attaching thereto the parties’ “Joint Manifestation and Motion (To Dismiss the Case On the Ground of Settlement, Withdraw both Petitions for Certiorari, and To Consider It as Closed and Terminated)” dated April 7, 2014, alleging therein the parties’ withdrawal of their respective petitions pursuant to their settlement.

Pertinent portions of the “Joint Manifestation and Motion” dated April 7, 2014 read:

Petitioner COCA-COLA BOTTLERS PHILS., INC. (hereafter, the “CCBPI”) and private respondents RONALD S. VITUG, RAFAEL N. BIASON, ROLANDO S. REBUSTES, and ROMEO D. RUIZ, JR., through their respective counsels, respectfully state:

1. On 13 July 2012, private respondents filed a complaint against CCBPI and its former President/CEO Mr. BILL SCHULTZ, for their alleged illegal dismissal, and praying for reinstatement with full backwages, damages and attorney’s fees.
2. The parties failed to arrive at an amicable settlement during the conciliation proceedings, and thus, they submitted their respective Position Papers and allied pleadings with the Labor Arbiter a quo.
3. In a Decision dated 30 April 2013, Hon. Labor Arbiter Edgardo Madriaga dismissed the complaint for illegal dismissal and sustained herein private respondents’ dismissal from employment.
4. Accordingly, private respondents filed their “Appeal Memorandum for the Complainants” dated 27 June 2013, which CCBPI opposed. On 30 September 2013, the National Labor Relations Commission (NLRC) rendered a Decision reversing the 30 April 2013 Decision of the Labor Arbiter.
5. CCBPI, thus, timely filed a Motion for Reconsideration on 17 October 2013. Private respondents likewise filed their “Motion for Reconsideration for the Complainants-Appellants” dated 11 October 2013.
6. On 7 November 2013, CCBPI, through counsel, received a copy of the NLRC Resolution dated 30 October 2013, denying its Motion for Reconsideration.
7. Consequently, CCBPI filed its Petition for Certiorari on 6 January 2014. On their part, private respondents also filed their Partial Petition for Certiorari. Thereafter, in a Resolution dated 10 February 2014, this Honorable Court ordered the consolidation of the parties respective Petitions and required the parties to file their respective comments thereon.
8. After several out-of-court discussions, however, the parties agreed upon the terms of settlement and the closure of the instant case. CCBPI agreed to withdraw its Petition and to pay private respondents the total

amount of ONE MILLION FOUR HUNDRED FIFTY THREE THOUSAND NINE & 37/100 PESOS (Php1,453,009.37) as full backwages and separation pay, inclusive of the award of attorney's fees, and the private respondents similarly agreed to withdraw their Partial Petition and to accept the settlement, acknowledging that the said amount represents a full and complete settlement of the 30 September 2013 NLRC Decision in their favor.

9. Accordingly, the parties executed a Compromise Agreement, a copy of which is attached hereto as Annex "A". Private respondents also executed their Joint Release, Waiver and Quitclaim in favor of CCBPI, a copy of which is attached hereto as Annex "B".

PRAYER

WHEREFORE, it is respectfully prayed of this Honorable Court that an Order be issued approving the withdrawal of the parties' respective Petitions, dismissing both cases with prejudice on the ground of settlement and declaring both cases as closed and terminated.

Other reliefs, just and equitable under the premises, are likewise prayed for.[4]

In view of the parties' withdrawal of their respective petitions pursuant to their settlement, the present cases must necessarily be dismissed.

WHEREFORE, as prayed for by the parties in the aforementioned "Joint Manifestation and Motion," the present cases are dismissed with prejudice. Consequently, the cases are considered closed and terminated.

SO ORDERED.

Sorongon[1] and Mahanan,[2] JJ., concur.

[1] Vice Justice Myra V. Garcia-Fernandez, per Office Order No. 240-14-ABR dated May 23, 2014

[2] Vice Justice Francisco P. Acosta, per Office Order No. 241-14-ABR dated May 23, 2014

[3] pp. 622-625, Rollo

[[4]] pp. 626-630, Rollo

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