

RIZAL CEMENT CO., INC., PETITIONER AND APPELLANT, VS. RIZAL CEMENT WORKERS' UNION (FFW), ET AL., RESPONDENTS AND APPELLEES.*G.R. No. L-12747. July 30, 1960*

Ponente: PARAS, C.J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/af7678f372ca/>**PARAS, C.J.:**

On May 29, 1956, the petitioner, Rizal Cement Co., Inc., filed in the Court of First Instance of Manila a petition seeking to enjoin the respondents, Rizal Cement Workers' Union, et al., from illegal picketing conducted pursuant to a strike declared by the respondent Union in the evening of May 27, 1956, against the petitioner. The court thereupon issued an order restraining the respondents from the acts complained of, it appearing that the allegations of the petition, particularly paragraphs 5 and 6, sustained prima facie the petitioner's claim.

On June 1, 1956, the respondents filed a motion to dismiss, alleging that, in matters of injunction in labor disputes as provided in Republic Act No. 875, the Court of Industrial Relations has jurisdiction to the exclusion of the lower court, and that the allegations in the petition clearly show, that the case falls exclusively within the province of the Court of Industrial Relations. The petitioner, however, argued that, assuming Republic Act No. 875 to be applicable, the jurisdiction of the Court of Industrial Relations was not intended to be exclusive.

After hearing, the court issued on June 12, 1956, a lengthy order granting the preliminary injunction prayed for upon the filing of a bond in the amount of P5,000.00. The court adopting the ruling laid down in the case of *Reyes vs. Tan* (99 Phil., 880; 62 Off. Gaz., [14] 6187), denied the respondents' motion to dismiss.

On November 20, 1956, the respondents moved for the reconsideration of the order and, in addition to their argument invoking Republic Act No. 875, they contended that the strike was an off-shoot of unfair labor practices allegedly committed by the petitioner, with the result that the case thereby fell within the exclusive jurisdiction of the Court of Industrial Relations. On December 21, 1956, the strike involved in the case was certified by the President of the Philippines to the Court of Industrial Relations pursuant to Section 10 (h) of Republic Act No. 875. Particularly in view of this development, the court sustained the respondents' contentions and forthwith ordered the case dismissed and the preliminary injunction dissolved. From this order, the petitioner has appealed.

The petitioner insists that the Court of First Instance has jurisdiction under Section 44 of the Judiciary Act of 1948, the matter complained of being ordinary violence, threats, intimidation and coercion which are cognizable by ordinary courts. From the facts that, although the respondents in their motion to dismiss alleged lack of jurisdiction, the lower court had entertained the petition and directed the issuance of the preliminary injunction; that it denied peremptorily the motion to dismiss after consideration of the arguments and evidence of each party; and that it set for hearing the motion for reconsideration of the order denying the motion to dismiss, the petitioner also insists that the lower court should have retained the jurisdiction thus already acquired and exercised, because the same cannot be removed by any subsequent event or even after the expiration of the law governing the case (*Roxas vs. Sayoc*, 100 Phil., 448; 53 Off. Gaz., [17] 5642; *Luzon Brokerage Co. vs. Luzon Labor Union*, et al., 92

Phil., 61; 48 Off. Gaz. [9] 3883).

The records show that the Clerk of Court of the Court of Industrial Relations had certified to the existence of unfair labor practice cases in said court between the parties, offshoots of the labor dispute involved in the strike in question. During the pendency of the motion for reconsideration in the lower court, the labor dispute was admittedly certified by the President of the Philippines to the Court of Industrial Relations. Following the decision in *Reyes vs. Tan*, 99 Phil., 880; 52 Off. Gaz. [17] 6187, the Court of Industrial Relations has exclusive jurisdiction when the labor dispute affects an industry which is indispensable to the national interest and it is certified thereto by the President of the Philippines. (See Sec. 10, R. A. No. 875.)

In not sustaining the jurisdiction of the lower court and in declaring that the Court of Industrial Relations possesses exclusive jurisdiction, this Court was guided by and has merely adhered to the objectives of the Magna Charta of Labor. It is the intention of this special law to make the Court of Industrial Relations the repository of all actions involving labor disputes and, with more reason, unfair labor practices. Confusion and delay would be avoided and the settlement of labor disagreements would thus be expedited. The lower court was correct when it concluded as follows:

"* * *. After consideration of the law, the Court is impelled to sustain the position of respondents on the second point; there is no question that by virtue of the communications of December 29, 1956, and pursuant to Section 10 of Republic Act No. 876, the strike was certified to the Court of Industrial Relations; and that being the case, the only effect should be that it is only the Court of Industrial Relations that should have authority to go into the merits and consequences of the strike and apply its coercive powers when necessary one way or the other; if this Court were to proceed and try this case just the same notwithstanding Exhibit '2' the result would be to render nugatory the exclusive jurisdiction granted to the Court of Industrial Relations; it is true that Exhibit '2' as interpreted by this Court would have the consequence of depriving this Court of jurisdiction, but as we view this case, it is one where when this case was presented, this Court had jurisdiction but that jurisdiction was lawfully withdrawn pursuant to Section 10, Republic Act No. 875, by virtue of Exhibit '2'; this is more properly a case of abatement and there being no showing that the President had no authority to certify the strike unto the Court of Industrial Relations that authority must stand with the necessary consequence of taking out this case from this Court; and this being the result, there would be no more need to go to the first point debated between the parties."

Wherefore, the order appealed from is affirmed with costs against the petitioner. So ordered.

Bengzon, Padilla, Bautista Angelo, Labrador, Concepcion, Reyes, J. B. L., Barrera, and Gutierrez David, JJ., concur.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.