

UNITED PHILIPPINE LINES, INC./FERNANDO T. LISING AND/OR SHELL INTERNATIONAL TRADING & SHIPPING COMPANY, LIMITED, PETITIONERS, V. NATIONAL CONCILIATION AND MEDIATION BOARD – OFFI...

Ponente: ELBINIAS, J.

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ELBINIAS, J.:

Before Us is petitioners' "MOTION TO WITHDRAW (PETITIONERS' PETITION FOR CERTIORARI)"[1] ("Motion to Withdraw" for brevity), praying that the instant Petition for Certiorari[2] be considered withdrawn.[3] Petitioners stated the following, among others:

"2. xxx petitioners, pursuant to the Resolution of public respondent National Conciliation and Mediation Board, paid herein private respondent, the total amount NINETY FIVE THOUSAND DOLLARS (US\$95,000.00) or its pesos equivalent FOUR MILLION THIRTY FOUR THOUSAND FIVE HUNDRED FIFTY FIVE PESOS (Php4,034,555.00[4]);

3. As proof of the above payment, the parties executed a Joint Motion to Dismiss dated 24 March 2011 and attached hereto xxx.

4. The petitioners are no longer interested in pursuing the present Petition for Certiorari with this Honorable Court;

5. Due to the above Joint Motion to Dismiss dated 24 March 2011, it is submitted that the private respondent has already been properly paid the judgment award with his consent;

6. Based on the foregoing, herein petitioners respectfully move that its present Petition for Certiorari with this Honorable Court dated 6 September 2010 be considered withdrawn and the case deemed CLOSED AND TERMINATED.

PRAYER

WHEREFORE, PREMISES CONSIDERED, it is most respectfully prayed that the Petition for Certiorari filed with this Honorable Court on 13 September 2010 be considered withdrawn and the case deemed CLOSED and TERMINATED."[4] (Emphasis supplied)

Given that petitioners, in their Motion to Withdraw[5], sought the withdrawal of the very Petition they filed, then the withdrawal of petitioners' Petition for Certiorari[6] is justified.

WHEREFORE, petitioners' prayer in their Motion to Withdraw[7] is GRANTED. The Petition at bench is considered WITHDRAWN, and the case is deemed CLOSED and TERMINATED.

SO ORDERED.

Didican (Chairman) and Dimagiba,[*] JJ., concur.

[*] Acting Junior Member vice J. Paredes per Office Order No. 34-14-RSF dated January 30, 2014.

[1] Rollo, pp. 222-224.

[2] Rollo, pp. 3-25.

[3] Rollo, pp. 223-224.

[4] Rollo, pp. 223-224.

[5] Rollo, pp. 222-224.

[6] Rollo, pp. 3-25.

[7] Rollo, pp. 222-224.

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