

ZUPHYR MANPOWER SERVICES, INC., 7 SEAS SHIP MANAGEMENT PTE., LTD., AND/OR MR. REY DINGLASAN, PETITIONERS, VS. GERSONITO C. DACO AND NATIONAL LABOR RELATIONS COMMISSION RESPONDENTS.

Ponente: ABDULWAHID, J.

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ABDULWAHID, J.:

The present Petition for Certiorari[1] dated February 11, 2015 should be summarily dismissed as it suffers from the following procedural lapses.

First, petitioners claim that they received on December 12, 2014 a copy of the assailed December 5, 2014 Resolution[2] of the National Labor Relations Commission, thus, the last day for the filing of the instant petition fell on February 10, 2015. The present petition filed on February 11, 2015 beyond the reglementary period of sixty (60) days from notice of the judgment, order, resolution is contrary under Section 4, Rule 65 of the Rules of Court.

Second, petitioners failed to state private respondent's actual address, contrary to Section 3, Rule 46 of the Rules of Court which requires that the petition shall contain the the actual addresses of all the petitioners and respondents.

Third, the Verification and Certification of Non-Forum Shopping[3] was signed by individual petitioner Rey A. Dinglasan without the required proof, by way of a board resolution or secretary's certification, that he was specifically authorized by the board of directors of petitioner corporations to file the instant petition for and in their behalf. Under Section 5, Rule 7 of the Rules of Court, the certification of non-forum shopping must be executed by the plaintiff or principal party. In the case of corporations, the physical act of signing may be performed, on behalf of the corporate entity, only by specifically authorized individuals for the simple reason that corporations, as artificial persons, cannot personally do the task themselves.[4]

This Court cannot ignore the foregoing procedural infirmities, as Section 3, Rule 46 of the 1997 Rules of Civil Procedure explicitly provides that non-compliance with any of the requirements, shall be sufficient ground for the dismissal of the petition. It bears stressing that technical rules of procedure are not designed to frustrate the end of justice, but are provided to effect the prompt, proper and orderly disposition of cases and thus, effectively prevent the clogging of court dockets.[5]

WHEREFORE, the instant petition for certiorari is DISMISSED outright for non-compliance with the Rules.

SO ORDERED.

Baltazar-Padilla, P.J., and Inting, S.B., JJ., concur.

[1] Rollo pp. 3-22.

[2] Id. at 85.

[3] Id. at 23.

[4] *Mariveles Shipyard Corp. vs. Court of Appeals*, 415 SCRA 573, 584 (2003).

[5] *Lapid vs. Laurea*, 391 SCRA 277, 285-286 (2002).

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