

UNIVERSAL TEXTILE MILLS, INC., PETITIONER, VS. THE COURT OF INDUSTRIAL RELATIONS AND MACARIO UMALI, RESPONDENTS.

G.R. No. L-31287. December 29, 1970

Ponente: RUIZ CASTRO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/d16656a8fc95/>

RUIZ CASTRO, J.:

In L-31287, the petitioner Universal Textile Mills, Inc. (hereinafter referred to as the Utex) is before us on a special civil action for certiorari under Rule 65 of the Rules of Court. In the other case, L-31332, the petitioner Universal Textile Mills Workers Union (hereinafter referred to as the Union) is here on appeal by certiorari under Rule 43 of the same Rules. The latter should, however, be considered as also a special civil action for certiorari because it does not treat of the merits of the decision of the respondent Court of Industrial Relations but, rather, imputes to that tribunal grave abuse of discretion because it denied due course to the Union's motion for reconsideration. These two cases have been consolidated by this Court's resolution of April 6, 1970, the issues raised being identical in substance.

The essential facts are not complicated.

In a decision dated November 4, 1968, the respondent Court of Industrial Relations, through one of its judges, found both of the two petitioners, the Union and the Utex, guilty of unfair labor practice in having caused the unjustified dismissal of the respondent Macario Umali from his employment at the Utex mills. Among other things, the respondent CIR ordered the reinstatement of Umali with backwages, to be borne solidarily by the two petitioners.

The Union and the Utex each filed its pro forma motion for reconsideration on November 18, 1968, within the five-day period prescribed by the rules of the CIR, with notice that each would submit its respective memorandum containing the arguments in support of its motion within ten days thereafter. According to the Utex, its memorandum of arguments was filed (by messenger) on November 28, 1968. The Union for its part claims having filed a separate memorandum by registered mail on November 27, 1968. The two motions for reconsideration were set for hearing by the respondent CIR en banc on Jan. 30, 1969, but at the instance of counsel for the Union, the same was moved to February 6, 1969. On the latter date, in the course of the session of the respondent CIR en banc, counsel for the Union was barred from arguing his client's case, the reason given being that the Union's memorandum of arguments was filed out of time. Counsel attempted to brush off this ruling by exhibiting registry receipt 2013 which indicates that the post office had received the mail cover for the respondent CIR on November 27, 1968, well within the reglementary period for its filing. He also produced a registry return card showing that one D. Cervantes had acknowledged receipt of the same mail cover for the CIR on December 2, 1968. The respondent CIR instituted a search of its own records for the pertinent mail envelope which would show the exact date of receipt, but the latter was nowhere to be found. Since the respondent CIR en banc was apparently not impressed by the Union's evidence of filing, it held the latter's arguments, including those of the Utex, in abeyance pending investigation and determination of the true mailing date of the Union's memorandum.

To the complete amazement of the two petitioners (Utex and Union), the respondent CIR en banc, on March 25, 1969, issued a resolution, worded as follows:

"The oral arguments scheduled for February 6, 1969 was suspended in order to verify whether or not the written memorandum by the respondent [Universal] Textile Mills Workers Union in support of its motion for reconsideration, dated November 27, 1968, was filed with the Court by registered mail or personally to guide the Court as to the date of filing.

"Incident to the query, however, the records of the case reveal that the original copy of said written memorandum is with the notation that only three copies thereof were filed with the Court by the respondent union. Said notation is affirmed by the receiving clerk to be his own handwriting. The records also show and likewise confirmed by the receiving clerk that the respondent company has filed with the Court only five copies of the written argument in support of its motion for reconsideration.

"Without passing on whether or not the argument of movant union was filed on time, the written arguments and/or memoranda filed by either or both the respondent union, UTMWU, and the respondent Universal Textile Mills, following the rule and precedents that at least six (6) copies of the written argument in support of the motion for reconsideration must be filed with the Court, should be, as they are hereby, DISMISSED."

Judge Emiliano Tabigne, while concurring with the majority, made a formal reservation of his vote in the event the merits of the case would be taken up. Presiding Judge Arsenio Martinez dissented, mainly due to his desire to placate whatever ill feelings the parties might entertain in regard to the manner by which the court en banc had disposed of the case.

The Union and the Utex filed separate motions for reconsideration of the above resolution. These were, however, summarily denied on June 14, 1969 by another en banc resolution, on the ground that resolutions of the CIR en banc cannot be the subject of any motion for reconsideration.

Hence these certiorari suits by the two petitioners.

The petitioner Union points out that the unresolved issue last pending before the respondent CIR en banc had to do with the timeliness of the filing of the Union's memorandum of arguments, and argues that the outright dismissal of the Union's motion for reconsideration on an entirely different ground, namely, insufficiency of copies of the memorandum filed, was a complete surprise and in effect underhanded, amounting to grave abuse of discretion on the part of the CIR.

We disagree. It is a settled rule that a tribunal may at any time take judicial notice of the records of a case pending before it,^[1] and satisfy itself that copies of the pleadings filed by the parties are in the numbers required by its rules. The failure of a pleading to comply with such procedural imperative set by the court, leaves the latter the discretion either to reject that pleading or order completion of the number of copies thereof. Where, however, the party whose pleading has been shunted aside offers to show that it has fully complied with the requirements of the rules and that the records kept by the tribunal contain inaccurate entries, the latter body should pause and listen, and give that party a day in court.

In its motion for reconsideration of the resolution of March 25, 1969, the Utex offered to produce before the respondent CIR ten (10) extra copies kept by it of its memorandum of arguments duly stamped "received" by the CIR. This would indicate that the Utex memorandum was filed in the required number for it would be highly improbable that the CIR would impress its receipt on so many extra copies without retaining the copies it needed.

For its part, the Union offered to prove that it had filed by registered mail the six copies required of it. The respondent CIR skirted all these offers by taking refuge behind its supposed rule that its resolutions can no longer be the subject of any motion for reconsideration, thus depriving the petitioners Union and Utex their right to be heard on the matter. As the records stand, there is no way of determining the veracity of the averments of the two petitioners.

The rule, moreover, that resolutions of the respondent CIR en banc cannot be the subject of motions for reconsideration is principally addressed to resolutions reviewing the decisions of the individual judges of that court. This delay-saving scheme finds justification in that the court would have, in principle, passed upon the issues a second time. The rule could not have been intended, however, to apply to resolutions en banc which deal with matters not previously passed upon by the court.

In denying the two petitioners the opportunity to be heard on the matter of the sufficiency of copies of the pleadings filed by them, the respondent CIR en banc clearly acted with grave abuse of discretion in issuing its resolution of June 14, 1969. The court's strict adherence to the letter of its procedural rules may have been imbued with laudable intention bearing upon the discouragement of unwarranted delay in labor cases. The respondent CIR should remember, however, that the adjudication of substantial justice remains the paramount consideration in every litigation before it. As it is, the delay in the disposition of

the principal case has been compounded by these two suits brought by the petitioners to correct the precipitate actuations of that tribunal.

The first case, L-31287, while denominated as a special civil action for certiorari, contains the opposing views of the parties regarding the decision of the respondent CIR on the merits. It would indeed be ideal for us not to have to remand these cases to the CIR for further proceedings, and instead proceed with a review on the merits, were it not that in the other case, L-31332, the petitioner Union, which erroneously denominated its petition as one for review by certiorari, stuck close to the issues relating to the resolutions of the CIR en banc and did not dwell at all on the merits of the respondent court's decision. For us now to adjudicate the principal controversy on the merits would result in denial to the petitioner Union its right to be heard on the issues involved therein.

The only just course left open to us is to see to the speedy disposition of the principal case pending below. To this end, and without in any manner downgrading the respect that parties-litigant before the respondent CIR must accord to procedural rules of that tribunal, we deem it best, under the environmental circumstances, to direct the respondent CIR to order the two petitioners Utex and Union, each to file, without delay, the requisite number of copies of its motion for reconsideration, immediately after which the CIR en banc shall proceed to resolve the said two motions for reconsideration.

ACCORDINGLY, the resolutions of the CIR en banc of March 25 and June 14, 1969 are hereby annulled and set aside, and the said Court en banc, subject to our observations made in the immediately preceding paragraph, is hereby ordered to give due course to the petitioners' separate motions for reconsideration of the decision of November 4, 1968, and forthwith proceed to the consideration and resolution thereof. No costs.

Concepcion, CJ., Reyes, J.B.L., Dizon, Makalintal, Zaldivar, Fernando, Teehankee, Barredo, Villamor and Makasiar, JJ, concur.

[1] Sec. 1, Rule 129, Rules of Court; Deflos Angeles vs. Hon. Cabahug, et al., 106 Phil. 839, 844; De la Rosa vs. Director of Lands, et al., 96 Phil. 641, 646; De Jesus vs. Daza, 77 Phil. 152.

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.