

MARCELO STEEL CORPORATION, PETITIONER, VS. MARCELO STEEL WORKERS UNION AND NATIONAL LABOR RELATIONS COMMISSION RESPONDENTS.

G.R. Nos. L-56656-60. September 25, 1981

Ponente: AQUINO, J.

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AQUINO, J.:

Marcelo Steel Corporation filed on April 15, 1981 a petition assailing (a) the decision of the National Labor Relations Commission dated March 23, 1978, granting all covered employees certain wage increases, (b) the order of Deputy Minister Amado G. Inciong dated May 28, 1979, affirming the NLRC decision, and (c) the resolution of the NLRC affirming the order of Labor Arbiter Antonio Tria Tirona granting complainant's motion for a writ of execution (Annexes A, C and I of the petition).

The respondents submitted their comments on the petition.

On September 8, 1981, the petitioner and the Marcelo Steel Workers Union filed the following:

"JOINT MOTION TO WITHDRAW

"NOW COME, the Petitioner and Private Respondents thru their respective counsels of record, upon previous authority of their respective clients, most respectfully request the Honorable Tribunal to withdraw from the records the herein Petition for Review considering that parties hereof have agreed to abide with the terms and conditions of their joint agreement dated June 23, 1981 filed with the Public Respondent, National Labor Relations Commission, and any such order of the latter, as a result thereof will be faithfully complied by the parties.

"That the aforementioned Joint Agreement of June 23, 1981 had been duly ratified, accepted and approved by the individual members of the bargaining unit as evidenced by copies hereof of the Union Board resolutions and the individual ratification slips of the members of the Unit. Attached herewith are certified xerox copies of the aforementioned joint agreement of June 23, 1981 marked as Annex A and Board Resolution dated June 23, 1981 marked as Annex B as well as xerox copies of the list of all rank-and-file employees in the bargaining unit who are all union members who have ratified the aforementioned Joint Agreement as indicated in its individual ratification slips hereto attached and marked as Annexes C to C-____hereof.

"WHEREFORE, in the light of the foregoing, it is respectfully prayed that this Petition and all incidents thereto be withdrawn from the records and or dismissed for being moot and academic.

"Parties further pray for other just and equitable remedy.

"Manila, Philippines, September 1, 1981.

MARCELO STEEL CORPORATION MARCELO STEEL WORKERS UNION

BY: BY:

Sgd. Jose P. Marcelo, Sr. Sgd. Bibiano A. Navarra

Typed. JOSE P. MARCELO, SR. Typed. BIBIANO A. NAVARRA

President President-MSWU WU-ALUMETA?

Assisted by:

Sgd. Fredy A. Gomez Sgd. Venerando B. Briones

Typed. FREDY A. GOMEZ Typed. VENERANDO B. BRIONES

Counsel Counsel

Copy Furnished:

NATIONAL LABOR RELATIONS COMMISSION

Manila

Office of the Solicitor General

Padre Faura, Manila"

In view thereof, this case is dismissed and considered closed. No costs.

SO ORDERED.

Concepcion, Jr., Fernandez, Abad Santos, and De Castro, JJ., concur.

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