

WESTERN MINDANAO LUMBER CO., INC., PETITIONER, VS. THE COURT OF INDUSTRIAL RELATIONS AND THE MINDANAO FEDERATION OF LABOR, RESPONDENTS.

G.R. No. L-8158. September 23, 1955

Ponente: LABRADOR, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/ee222a98c723/>

LABRADOR, J.:

In case No. 618-V of the Court of Industrial Relations entitled *Mindanao Federation of Labor vs. Western Mindanao Lumber Co., Inc.*, petitioner sought the reinstatement of three laborers, namely, Cirilo Manuel, Vicente Manuel and Hermenegildo Santos on the ground that they were unjustifiably discharged. Respondent claimed that their discharge was justifiable and set up a counter-claim for the sum of P3,000, representing damages to its property and business caused by their negligence. The case was instituted on October 12, 1951 and tried by a commissioner on January 24-26, 1952. On May 16, 1952 the court entered judgment granting the petition and ordering the reinstatement of the laborers, under the same terms and conditions in which they were employed at the time of their respective dismissal, with back wages from said time to the respective dates of their reinstatement. The court dismissed the company's counterclaim on the ground that it had not yet made up its mind on the question as to whether it had jurisdiction over the same. However, on August 29, 1952 it reconsidered its refusal to consider the counterclaim and remanded the case to one of its judges to take cognizance of and decide the counter-claim. On July 7, 1953 with the counterclaim yet undecided, the petitioner herein filed a proceeding in this Court for certiorari against the decision of May 16, 1952, ordering the reinstatement of the three laborers. But on November 11, 1952 this Court, upon motion of petitioner itself, dismissed the petition as premature, without prejudice to its reinstatement or renewal when the Court of Industrial Relations shall have rendered a complete decision.

On February 5, 1954 the respondent court, upon petition of respondent labor union, ordered the execution of its judgment of May 6, 1952 for the reinstatement of the three laborers, but authorized respondent company to withhold and keep in trust the amount of P3,000 from the back wages of Cirilo Manuel and Vicente Manuel to answer for whatever amount the company may be able to prove in an appropriate hearing in support of its counterclaim. This order of execution is claimed to have been issued in excess of the respondent court's jurisdiction for the reason that there is no strike or lockout to which the dismissals were related, and because the judgment is not yet complete, the counterclaim being still undecided. The first reason given is based on the contention that section 14 of Act No. 103, which expressly authorizes execution pending appeal, is applicable only in cases of strikes and lockouts contemplated in section 4 of the same Act. There is some truth in this contention. Section 14 of Act No. 103 is expressly intended to be applicable to cases where there are disputes causing or likely to cause a strike or lockout. But it is unreasonable to assume that immediate execution of an award is allowable only during strikes or lockouts. The authority to order immediate execution must be considered implied from the respondent court's authority to decide and settle cases involving employment (Sec. 1, C.A. 103). If such authority is to be exercised justly, it must be deemed to include immediate execution of its

orders under justifiable circumstances. In ordinary litigations not involving the daily bread or the means of livelihood of litigants, immediate execution of a judgment is expressly authorized in the discretion of the judge (Sec. 2, Rule 39 of the Rules of Court; Sec. 8, Rule 72, Rules of Court; Art. 1674, Civil Code). A reinstatement of a laborer by its very nature requires immediate execution both for the welfare of the laborer, whose daily bread comes from his daily labor, and for the employer so that he may promptly adjust his business to the new situation created by the reinstatement. Immediate execution of awards or orders for reinstatement are not necessary in cases of strikes and lockouts alone; they are as essential in ordinary life as in the ordinary course of business. Delays in appeals are unavoidable, not only because full opportunity to litigants to present and defend their rights must not be denied and is guaranteed by the Constitution, but because the search for truth and justice in litigation is a difficult and slow process. Because of these unavoidable delays, the laws have devised the execution pending appeal provision, a positive remedy against the delay of justice. Nowhere is the provision more essential to justice than in the reinstatement now sought to be enjoined. We hold that the grant of the execution was within the power and jurisdiction of the respondent court.

The same reasons given above hold true as against the argument that the judgment is not yet complete and that the execution of part thereof should not be ordered. Anyway the right of petitioner to its counterclaim is amply protected in the order appealed from because authority is granted petitioner to retain the back wages of the laborers to the amount of the counterclaim.

The petition should be, as it hereby is, denied, with costs against petitioner.

Bengzon, Padilla, Reyes, A., Jugo, Bautista Angelo, Concepcion and Reyes, J.B.L., JJ., concur.

Writ denied.

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.