

ALATCO TRANSPORTATION, INC., BICOL TRANSPORTATION CO., INC., AND CONSOLIDATED AUTO LINES, INC., PETITIONERS, VS. JOSE NAYVE AND PUBLIC SERVICE COMMISSION, RESPONDENTS.

G.R. No. L-30072. August 31, 1978

Ponente: AQUINO, J.

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AQUINO, J.:

The petitioners in this certiorari case assailed the order of the Public Service Commission dated December 20, 1968 in Case No. 67-6799, provisionally approving the application of respondent Jose Nayve for a certificate of public convenience to operate a PUB auto-truck service with the use of five units on the Guinobatan, Albay-Legaspi City line and vice-versa.

A writ of preliminary injunction was issued by this Court on May 29, 1969 to restrain the enforcement of that order. The writ was amended on January 9, 1970 for the purpose of directing the Commission to suspend the consideration of respondent Nayve's application.

Nayve answered the petition and later filed a memorandum in lieu of oral argument. The case was submitted for decision on May 5, 1969.

In this Court's resolution of January 30, 1978, the parties were directed to inform this Court whether the case had become moot and academic in the light of supervening events.

Petitioners' counsel, in his manifestation dated February 7, 1978, stated that the case had become moot because Nayve had ceased to be a bus operator and the business of Alatco Transportation Co., Inc. had been absorbed by Pantranco South Express, Inc. The Solicitor General, as counsel of the Public Service Commission, now the Board of Transportation, made a similar manifestation.

WHEREFORE, this case is dismissed for having become moot and academic. No costs.

SO ORDERED.

Fernando, (Chairman), Barredo, Antonio, Concepcion, Jr., and Santos, JJ., concur.

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