

**SAMAHAN NG MGA MANGGAGAWA SA FIRESTONE-NATU AND
FIRE-STONE FILIPINAS EMPLOYEES AS-SOCIATION-NATU,
PETITIONERS, VS. FIRESTONE TIRE & RUBBER COMPANY OF
THE PHILIPPINES AND HON. V....**

G.R. No. L-34390. August 25, 1978

Ponente: TEEHANKEE, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/f4e6a142d2df/>

TEEHANKEE, J.:

The petition at bar assails respondent judge's assumption of jurisdiction over the complaint for damages with preliminary injunction filed in August, 1971 by respondent company against petitioner union and its members with his court, the Court of First Instance of Rizal at Makati, and his issuance of a restraining order against the union's alleged unlawfully declared strike and picketing activities on the basic ground that the case involved a labor dispute concerning unfair labor practices exclusively cognizable by the then Court of Industrial Relations.

The Court pursuant to its Resolution of December 1, 1971 requiring respondent company to answer the petition and fixing a P200.00 - injunction bond, issued on January 7, 1972 a writ of preliminary injunction enjoining the implementation of respondent judge's questioned restraining order against the union and its strike activities. The parties in due course submitted their memoranda in lieu of oral argument and the case was thereafter submitted for decision, although the parties still filed thereafter several supplemental pleadings with respect to their charges and counter-charges against each other.

On June 3, 1978, respondent through counsel filed the following

"MANIFESTATION
AND
MOTION TO DISMISS

"Respondents, by counsel, respectfully manifest that:

"1) The petition in the above-captioned case has been rendered moot and academic by the order dated February 22, 1973 of the National Labor Relations Commission (NLRC) in NLRC Case No. 0368, which states, inter alia:

'This case involves the strike declared at Firestone Tire & Rubber Co. of the Philippines (hereinafter called 'Company') on August 2, 1971.

'xxx xxx xxx

'Instead of conducting formal hearings on the case, the National Labor Relations Commission decided to conciliate. The Commission has had several meetings with representatives of management and representatives of the union, separately and jointly.

'After a series of meetings, the following terms were reached between the complainants (hereinafter called 'Union') and the Company:

'xxx xxx xxx

'6. The Union and the Company agree to irrevocably withdraw, dismiss, drop and close for all intents and purposes the following cases filed by one against the other:

(a) Civil Case No. 676-M (15023) pending with the Court of First Instance in Makati, Rizal;

(b) G.R. No. 34390 pending with the Supreme Court;

(c) CIR Charge Nos. 5034 and Case No. 5980 pending with the Court of Industrial Relations; and

(d) This instant case (NLRC Case No. 0368).

'Any and all criminal cases pending against any of the strikers will not be withdrawn, dropped or dismissed.

'The Union and the Company also agree that no other case will be filed or instituted before any court, tribunal, commission, agency, instrumentality or office of the government by one against the other or by any of its officials, personnel, officers, members, agents or representatives, involving matters or causes of action arising out of the August 2, 1971 strike, of the former employment of the strikers in the Company or of the termination of such strike and employment.'

'xxx xxx xxx

'WHEREFORE, the Commission hereby orders the Company and the Union to implement the above terms. x x x'. (Italics supplied).

Copy of the aforesaid NLRC order, which had long become final and executory, and in fact had been complied with, is enclosed herewith as Annex 'A' and made an integral part hereof.

"2) In view of the foregoing, this case should be dismissed and considered closed and terminated for all intents and purposes.

"WHEREFORE, it is respectfully prayed that the petition in the instant case be dismissed in toto and with prejudice, and considered closed and terminated for all intents and purposes.

"Respondents pray for other reliefs just and equitable in the premises."

Required to comment, petitioner union filed on July 20, 1978 its Opposition to the dismissal of the case invoking the pendency of CIR Cases 5034 and 5980 for unfair labor practice with the National Labor Relations Commission (as successor of the Court of Industrial Relations) and contending that "the instant case has not become moot and academic because the issues litigated are intertwined with CIR Case No. 5034-ULP and No. 5980-ULP, which the union have (sic) continued despite the decision in NLRC Case No. 0368, questioning thereby the authority of Associated Labor Union to enter into said compromise agreement," and citing "recent decisions of this Honorable Court [which] continue to maintain the established jurisprudence that the Courts of First Instance have no jurisdiction to rule on the question of damages in labor disputes when the same is intertwined with the CIR cases. (Villacorta vs. Judge Honrado, 70 SCRA 407; Goodrich vs. Judge Flores, 73 SCRA 297; Holganza vs. Judge Apostol, 76 SCRA 190; Cyphil Employees Union vs. Pharmaceutical Industries, Inc., 77 SCRA 135)."

In respondent company's reply, it avers that "In view of the cessation of the strike in 1972, and its settlement in 1973, the issues in the instant petition can be disposed of, for being moot, independently of the limited issues in CIR Charge No. 5034 and Case No. 5980-ULP being litigated before the NLRC, said issues arising out of Civil Case No. 676-M (15023) being mere incidents to the strike case settled by the ad hoc NLRC in Case No. 0368 (Esuerte, et al. vs. Abbas, et al., 17 SCRA 446)."

Respondent company further manifested therein that

"No practical relief can be granted were this moot case to be decided on the merits, because the 1971 strike has long ceased when martial law was proclaimed in 1972. The acts, restrained by the trial court's injunction which petitioners sought to nullify, likewise no longer exist. x x x

"Indeed, no rights of petitioners would be affected by the dismissal of this moot petition. In both their motion to dismiss in the court a quo and their petition with this Court, they claim no damages. On the other hand, it is in the interest of petitioners that the petition be dismissed because the strike settlement in Case No. 0368 mandates respondent's corresponding obligation to 'irrevocably dismiss' Civil Case No. 676-M (15023), which was respondent's complaint for damages against petitioners and their identified members. "

The Court finds that the issue of jurisdiction of respondent judge's court over the case below has indeed become moot with the settlement of the strike and respondent company's undertaking thereunder to "irrevocably dismiss" its case in the court below for damages against petitioner union and its members. The dismissal of the case in respondent judge's court necessarily renders the present case moot.

ACCORDINGLY, the motion to dismiss is granted and the case at bar is declared closed and terminated.

Makasiar, Muñoz Palma, Fernandez, and Guerrero, JJ., concur.

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.