

GAPAN FARMERS' COOPERATIVE MARKETING ASSOCIATION, INC., PETITIONER AND APPELLEE, VS. FE PARIAL, LUCY CABATUANDO, REGIONAL OFFICE NO. 3 DEPARTMENT OF LABOR, MANILA AND THE PROVIN...

G. R. No. L-17024. July 24, 1962

Ponente: CONCEPCION, J.

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CONCEPCION, J.:

Appeal by respondents herein from a decision of the Court of First Instance of Nueva Ecija annulling certain "decisions" of Regional Office No. 3 of the department of Labor and enjoining said respondents from enforcing said "decisions", with costs against them.

Respondents Fe Parial and Lucy Cabatuando were former employees of the Gapan Farmers' Cooperative Marketing Association Inc., hereinafter referred to as the Association. On December 11, 1957, said respondents filed with the aforementioned office their respective complaints for alleged unpaid wages under the Minimum Wage Law (Republic Act No. 202) for the period from February 1954 to September 1957, in the case of Fe Parial, and from May 1954 to September 1957, as regards Lucy Cabatuando. Although the Association pleaded prescription and contested the jurisdiction of said office, a Hearing Officer thereof, after hearing both parties, rendered two "decisions", dated September 5, 1958, ordering the Association to pay to Fe Parial and Lucy Cabatuando the sums of P2,095 and P2,410, respectively, with interest thereon, at the legal rate, tern January 14, 1958, until fully paid. The Association appealed to the Labor Standards Commission which, however, dismissed the appeals, upon the ground that the Association's memoranda in support thereof had been filed beyond the reglementary period. Subsequently, the corresponding Regional Administrator issued a writ for the execution of said "decisions" of the Hearing Officer.

When the Provincial Sheriff of Nueva Ecija was about to comply with said writ, the Association instituted the present action for certiorari, against Fe Parial and Lucy Cabatuando, as well as against said Regional Office No. 3 and the aforementioned Provincial Sheriff, to restrain them from enforcing the aforesaid writ, upon the ground that the same and the "decisions" of the Hearing Officer were null and void, said "decisions" and writ having been rendered and issued respectively upon the authority of Section 25 of Reorganization Plan No. 20-A, which is allegedly unconstitutional. The Court of First Instance of Nueva Ecija upheld this pretense, upon the ground that Republic Act No. 997—upon the authority of which said Plan had been formulated and adopted by the Government Survey and Reorganization Commission—contemplated a reorganization merely of the executive branch of the Government and that, investing the Regional Offices of the Department of Labor with authority to hear money claims and render "decisions" thereon, as well as in authorizing Regional Administrators to issue writs for the execution of said decisions, the Plan sought to clothe said offices and officers with a judicial power belonging to and possessed by courts of justice and, accordingly, to deprive the latter of its corresponding jurisdiction, thereby exceeding the authority conferred upon the Commission, apart from violating the principle of separation of powers by conferring judicial powers upon an agency of the executive branch. Hence, this appeal by respondents,

who assail the view thus taken by His Honor, the trial Judge. Such view is, however, fully in accord with the doctrine laid down by this Court in *Corominas vs. Labor Standard Commission*, 112 Phil., 551 and reiterated in subsequent cases (*Miller vs. Mardo*, 112 Phil., 792; *Calfcex [Phil.] Ins. vs. Villanueva*, 59 Off. Gaz. (47) 8071; *W Tan vs. De Leon*, L-15254 [September 16, 1961] *La Mallorca vs. Ramos, et al.*, L-15476 [September 19, 1961] ; and *Velez vs. Saavedra, et al.*, L-16386 [January 31, 1962]).

Wherefore, the decision appealed from is hereby affirmed, with the costs of this instance against respondents Fe Parial and Lucy Cabatuando. It is so ordered.

Bengzon, C. J., Padilla, Labrador, Barrera, Paredes, Dizon, Regala, and Makalintal, JJ., concur.

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