

DANILO DAVID, PLAINTIFF AND APPELLEE, VS. ALASKA LUMBER COMPANY, DEFENDANT AND APPELLANT.

G. R. No L-17458. May 30, 1962

Ponente: CONCEPCION, J.

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CONCEPCION, J.:

Appeal from a decision of the Court of First Instance of Manila, sentencing defendant Alaska Lumber Company to pay to plaintiff, Danilo David, the sum of P2,379.20, with interest thereon, at the legal rate, from the date of the filing of his complaint, plus P299.52, as and for attorney's fees, and the costs.

In said complaint, which was filed with said court, on June 2, 1960, plaintiff seeks to recover from defendant the sum of P4,000, as compensation for injuries sustained by the former on April 15, 1959, in the course of his employment as laborer of the defendant, aside from attorney's fees and costs. In its answer, defendant admitted several allegations of the complaint, denied other allegations thereof, and alleged, by way of affirmative defense, that plaintiff's claim is within the exclusive jurisdiction of the Workmen's Compensation Commission. After due trial, said court rendered the aforementioned decision. Defendant moved for its reconsideration upon the ground, among others, that the court had no jurisdiction to hear and decide the case, not only because, due to its nature, plaintiff's claim is within the exclusive jurisdiction of the Workmen's Compensation Commission, but, also, because the amount sought to be recovered is within the original exclusive jurisdiction of the Municipal Court of Manila. Said motion having been denied, defendant appealed directly to this Court, reiterating the objection to the jurisdiction of the Court of First Instance of Manila, as well as assailing the manner in which it had applied the Workmen's Compensation Act to this case. Moreover, defendant moved in this Court for a writ of preliminary injunction to restrain the execution of the decision of the lower court during the pendency of the appeal. Upon the filing of a P3,000 bond, we granted the motion and issued said writ.

Defendant maintains that pursuant to section 46 of said Act, which provides that:

"The Workmen's Compensation Commission shall have exclusive jurisdiction to hear and decide claims for compensation under the Workmen's Compensation Act, subject to appeal to the Supreme Court, in the same manner and in the same period as provided by law and by rules of court for appeal from the Court of Industrial Relations to the Supreme Court."

plaintiff's cause of action is within the exclusive jurisdiction of the Workmen's Compensation Commission.

Upon the other hand, plaintiff contends that the court of first instance had jurisdiction to hear and decide this case, for, pursuant to paragraph 12 of Article III of Reorganization Plan No. 20-A:

"The jurisdiction herein conferred upon the Commission shall not be construed to bar a workmen's recourse to a court of competent jurisdiction, but he cannot prosecute his claim both in the Commission and in the ordinary courts."

However, this provision virtually amends said section 46 of Act No. 8428, in that the "exclusive" jurisdiction of

the Commission thereunder "to hear and decide claims for compensation under the Workmen's Compensation Act", has been reduced by said Reorganization Plan No. 20-A to the category of "concurrent" jurisdiction with ordinary courts of justice. Again, said provision of Reorganization Plan No. 20-A in effect, confers upon such courts a Jurisdiction which the same did not have prior thereto. Obviously, Republic Act No. 997, as amended by Republic Act No. 1241, upon the authority of which said Reorganization Plan No. 20-A was formulated and adopted, did not confer upon the Government Survey and Reorganization Commission created in said Act the power either to amend said section 46 of Act No. 3428, or to confer said jurisdiction to courts of justice. At any rate, both powers are essentially and necessarily legislative in nature, and, consequently, a grant of said authority would constitute an unconstitutional delegation of legislative power.

Lastly, inasmuch as plaintiff's claim is for P4,000, plus "attorney's fees in such sum as may be deemed just and equitable" by the court—without stating any specific sum, which was later fixed by the court at P299.52—it results that the amount-of the demand in his complaint did not exceed P5,000, exclusive of interests and costs, which is within the original exclusive jurisdiction of the Municipal Court of Manila (Sec. 88, Republic Act No. 296, as amended by Republic Act No. 2613).

Wherefore, the decision appealed from is set aside, this case is dismissed, and the writ of preliminary injunction heretofore issued is hereby made permanent, without special pronouncement as to costs. It is so ordered.

Padilla, Bautista Angelo, Reyes, J. B. L., Barrera, Paredes, and Dizon, JJ., concur.

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