

ATOK-BIG WEDGE MINING CO., INC., PETITIONER, VS. ATOK-BIG WEDGE MUTUAL BENEFIT ASSOCIATION, RESPONDENT.

G. R. No. L-5594. May 15, 1953

Ponente: PARAS, C.J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/feb736893c9d/>

PARAS, C.J.:

Aklayan Bayo, a laborer of the Atok-Big-Wedge Mining Co., Inc., was suspended and subsequently dismissed by the latter because he was allegedly apprehended on February 28, 1951, by a company's policeman with a bag of gold ores concealed under his left armpit, taking advantage of the cover of darkness. The propriety of the action of the company forthwith came up before the Court of Industrial Relations which, in its original decision of December 8, 1951, authorized the dismissal. However, upon motion for reconsideration, that court in banc, in its resolution dated March 4, 1952, set aside the original decision and ordered the company to reinstate Aklayan Bayo and pay him his back wages from February 28, 1951 up to his actual reinstatement. The company has appealed by way of certiorari.

The lower court held that Aklayan Bayo is entitled to reinstatement, "not because he was acquitted by the Justice of the Peace Court, but because there is no evidence whatsoever of the alleged breach of trust or of any sufficient reason to distrust him."

The herein petitioner contends that, although Aklayan Bayo was prosecuted for theft before the justice of the peace of Itogon, Mountain Province, and was acquitted, the "conviction or acquittal in the criminal case was not absolutely necessary to authorize his dismissal by his employer, as long as facts which tend to show that Bayo had been guilty of a breach of trust exist;" that, notwithstanding the acquittal, the fact remains that Aklayan Bayo was caught concealing in his person a bag containing gold ores.

The finding of the Court of Industrial Relations that the alleged breach of trust is not supported by any evidence, is one of fact which we are not authorized to review, much less alter, in the present instance. Indeed, in its petition the petitioner intimates that the justice of the peace acquitted Aklayan Bayo in the theft case by virtue of circumstance which, however, did not disprove the fact that gold ores were found in his possession, against the law and against the regulations of the company; and to adopt petitioner's theory would necessarily result in our interference with the ruling of the Court of Industrial Relations on a question of fact.

Wherefore, the appealed resolution is affirmed with costs against the petitioner. So ordered.

Feria, Pablo, Bengzon, Tuason, Reyes, Jugo, Bautista Angelo and Labrador, 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.