COCA-COLA BOTTLERS PHILS., INC., PETITIONER, VS. ALAN M. AGITO, REGOLO S. OCA III, ERNESTO G. ALARIAO, JR., ALFONSO PAA, JR., DEMPSTER P. ONG, URRIQUIA T. ARVIN, GIL H. FRANCISC...

G.R. No. 179546. July 23, 2009

Ponente: CHICO-NAZARIO, J.

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CHICO-NAZARIO, J.:

In a Decision dated 13 February 2009, the Court denied the petition filed in this case and partially affirmed the Decision dated 19 February 2007 and the Resolution dated 31 August 2007 of the Court of Appeals in CA-G.R. SP No. 85320, insofar as it found that an employer-employee relationship existed between petitioner Coca-cola Bottlers Philippines, Inc. and herein respondents. However, instead of remanding the case to the National Labor Relations Commission (NLRC) for further proceedings as the appellate court had ordered, this Court ordered the petitioner to reinstate respondents without loss of seniority rights and to pay them full back wages from the time their compensation was withheld up to their actual reinstatement.

On 13 April 2009, respondents filed a Motion for Clarification and/or Partial Motion for Reconsideration wherein it quoted the decretal part of the Decision dated 13 February 2009 and the decisive paragraph that precedes it:

> Given that respondents were illegally dismissed by petitioner, they are entitled to reinstatement, full backwages, inclusive of allowance, and to their other benefits or the monetary equivalent thereof computed from the time their compensations were withheld from them up to the time of their actual reinstatement, as mandated under Article 279 of the Labor Code.
>
> IN VIEW OF THE FOREGOING, the instant Petition is DENIED. The Court AFFIRMS WITH MODIFICATION the Decision dated 19 February 2007 of the Court of Appeals in CA-GR SP NO. 85320. The Court DECLARES that respondents were illegally dismissed and, accordingly, ORDERS petitioner to reinstate them without loss of seniority rights, and to pay them full backwages computed from the time their compensation was withheld up to the time of their actual reinstatement. (Underscored by respondents.)

Respondents seek to include in the fallo of the afore-quoted Decision the words "inclusive of allowance and x x x other benefits or the monetary equivalent thereof," found in the discussion.

This Court finds merit in the respondents' motion for partial reconsideration, since the words "inclusive of allowance and x x x other benefits or the monetary equivalent thereof" are merely descriptive of "full backwages," which this Court had already categorically awarded to respondents after a thorough discussion of the merits of the case. They do not constitute a new or additional award to respondents. The inclusion of these words in the dispositive part of the Decision serves only to clarify the same so that in the implementation thereof, none of the rights legally due to the respondents shall be overlooked.

WHEREFORE, the respondents' Motion for Clarification and/or Partial Motion for Reconsideration is GRANTED. The dispositive part of the Decision dated 13 February 2009 is MODIFIED to read as follows:

> IN VIEW OF THE FOREGOING, the instant Petition is DENIED. The Court AFFIRMS WITH MODIFICATION the Decision dated 19 February 2007 of the Court of Appeals in CA-G.R. SP No. 85320. The Court DECLARES that respondents were illegally dismissed and, accordingly, ORDERS petitioner to reinstate them without loss of seniority rights, and to pay them full backwages, inclusive of allowances, and their other benefits or the monetary equivalent thereof computed from the time their compensation was withheld up to the time of their actual reinstatement. Costs against the petitioner.

SO ORDERED.

Ynares-Santiago, (Chairperson), Carpio Morales, Nachura, and Peralta, JJ., concur.

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