

NATIONAL LABOR UNION, INC., PETITIONER, VS. COURT OF INDUSTRIAL RELATIONS AND PHILIPPINE MANUFACTURING CO., RESPONDENTS.

G.R. No. 48204. October 10, 1941

Ponente: OZAETA, J.

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OZAETA, J.:

We are asked by the petitioner to review an order of the Court of Industrial Relations which authorized the respondent company to discharge one of its employees named Benjamin Sanchez for misconduct.

The court found from the evidence that Benjamin Sanchez had previously been suspended twice: on March 8, 1930, for having fought with another laborer of the company, named P. Nomora; and on July 8 of the same year for having instigated various laborers not to work on Sundays.

On November 25, 1940, at twelve o'clock noon, the said Benjamin Sanchez had an altercation near the bundy clock of the company with Ursula de Guzman, another laborer, to whom he proffered defamatory remarks and who hit him with an umbrella, thereby provoking a fight between them. They were thereafter investigated by Mr. H. S. Jensen, an officer of the company, who found Benjamin Sanchez guilty of provoking the fight and recommended his indefinite suspension.

After relating the foregoing facts, the Court of Industrial Relations concluded as follows: that Benjamin Sanchez is a young man of impulsive character with a propensity to quarrel and to attack; and that his two previous suspensions and the incident of November 25, 1940, in which he was the provocator of the quarrel between him and Ursula de Guzman and which ended in a fight between them, justify his dismissal.

The petitioner raises no question of law. Its sole contention is that the Court of Industrial Relations erred in not finding that it was Ursula de Guzman, and not Benjamin Sanchez, who provoked the quarrel. We can not entertain such a plea. We cannot reverse a decision or order of the Court of Industrial Relations on pure question of fact. (Central Azucarera de Tarlac vs. The Court of Industrial Relations, G. R. No. 46843; Manila Electric Company vs. National Labor Union, G. R. No. 47279; Mindanao Bus Company vs. Mindanao Bus Company Employees, G. R. Nos. 47544 and 47611; Bohol Land Transportation Co. vs. BLT Employees Labor Union, G. R. No. 47661, decided March 12, 1941.)

The order under review is affirmed, with costs. So ordered.

Abad Santos, Diaz, Moran, and Horrilleno, JJ., concur.

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