

**LUNINGNING B. ALVAREZ, PETITIONER, VS. MINISTER BLAS OPLE,
MINISTRY OF LABOR AND EMPLOYMENT, SECOND DIVISION,
NATIONAL LABOR RELATIONS COMMISSION, MANUEL V. LORENZO,
LABOR ARBIT...**

G.R. No. 61478. December 15, 1982

Ponente: MAKASIAR, J.

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MAKASIAR, J.:

Acting on the petition and the comments thereon filed by the respondents, and considering that it is undisputed that petitioner is not a party-respondent in Case No. RV IV 19054-77-T entitled "Ricardo Manalang vs. Salambao Fishing Corporation" and that consequently, petitioner was never notified of nor heard in the said case, the Court RESOLVED to remand this case to the respondent National Labor Relations Commission, which is hereby directed to (a) require herein private respondent to amend his complaint in the aforesaid case by impleading as party-respondent therein, petitioner herein, (b) afford petitioner a full and fair hearing, including her filing of the appropriate pleading and/or position paper, and (c) thereafter decide the case accordingly.

The decision of the labor arbiter dated July 28, 1978, the order of respondent National Labor Relations Commission dated October 8, 1980 and the writ of execution dated August 17, 1982, are hereby set aside.

No costs.

SO ORDERED.

Aquino, Guerrero, Abad Santos, De Castro, and Escolin, JJ., concur.
Concepcion, Jr., J., on official leave.

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