

CHANROBLES PUBLISHING COMPANY

**SUPREME COURT
FIRST DIVISION**

**PHILIPPINE ASSOCIATION OF FREE
LABOR UNIONS (PAFLU),**
Petitioner,

-versus-

**G.R. No. 39084
February 23, 1988**

**EMILIO V. SALAS, Judge of the Court
of First Instance of Rizal, Seventh
Judicial District, Branch I, Pasig, Rizal
and WONG KING YUEN,**
Respondents.

X-----X

DECISION

GANCAYCO, J.:

This is a Petition for Certiorari under Rule 65 of the Rules of Court.

The record of the case discloses that the herein petitioner Philippine Association of Free Labor Unions (PAFLU) is a labor organization registered with the Department of Labor and Employment. Sometime in 1963, the petitioner filed a Complaint for unfair labor practice with the then Court of Industrial Relations (CIR) against the Northwest Manufacturing Corporation and a certain Gan Hun. The suit was docketed as Case No. 3901-ULP.

On September 25, 1972, the CIR rendered a Decision in favor of the petitioner labor organization. Pursuant to a writ of execution issued by the CIR, the provincial sheriff of Rizal commenced levying the personal properties of the said Gan Hun, particularly the properties found in his residential apartment unit in San Juan, then a town of Rizal province.

The herein private respondent Wong King Yuen, however, claims that Gan Hun is his boarder in the apartment unit mentioned earlier and that the properties inside the apartment unit levied by the provincial sheriff belong to him and not to Gan Hun.

Thus, on October 18, 1973, the private respondent filed a Complaint for damages with the then Court of First Instance (CFI) of Rizal against the provincial sheriff. The suit was docketed as Civil Case No. 18460. The amount of money involved in the said case is about P24,680.00.

As sought by the private respondent, the CFI, with the herein respondent Judge Emilio V. Salas presiding therein, issued an injunctive writ restraining the provincial sheriff from proceeding with the sale of the properties in question.

After having been allowed by the CFI to intervene in Civil Case No. 18460, the petitioner labor organization sought to dismiss the Complaint on the ground that the said court had no jurisdiction over the case filed by the private respondent.^[1] The petitioner argued that Civil Case No. 18460 relates to an existing labor dispute and as such the proper forum for the same is the industrial court.

In an Order dated July 9, 1974, the CFI denied the Motion to Dismiss filed by the petitioner.^[2] The petitioner sought a reconsideration of the said case but did not succeed in doing so.^[3]

On August 8, 1974, the petitioner elevated the case to this Court by way of the instant Petition.^[4] The petitioner maintains its stand that the CFI has no jurisdiction over Civil Case No. 18460.

In an Answer filed with this Court on August 29, 1974, the private respondent contends that Civil Case No. 18460 is not a labor dispute cognizable by the industrial court. The private respondent points out that Civil Case No. 18460 is an ordinary civil action for damages against the provincial sheriff and directed against the sheriff's bond required under Section 17, Rule 39 of the Rules of Court. The private respondent adds that it is an entirely separate proceeding distinct from the labor case filed with the CIR and that, accordingly, it is the Court of First Instance which has jurisdiction over the same.^[5]

After a careful examination of the entire record of the case, We find that instant Petition to be devoid of merit.

The sole issue in this case is whether or not the CFI has the jurisdiction to issue the injunctive relief questioned by the petitioner. We rule in the affirmative.

It is clear that Civil Case No. 18460 is an ordinary civil action for damages, not a labor dispute. The case is directed against the provincial sheriff and the recovery of damages is sought against the bond provided for Section 17, Rule 39 of the Rules of Court governing execution and satisfaction of judgments.

Even if the act complained of by the private respondent arose from a labor dispute between the petitioner and another party, the inevitable conclusion remains the same — there is no labor dispute between the petitioner and the private respondent. Civil Case No. 18460 has no direct bearing with the case filed with the industrial court. The civil case remains distinct from the labor dispute pending with the CIR.

Under Commonwealth Act No. 103, the law creating the Court of Industrial Relations, the jurisdiction of the industrial court is limited to labor disputes. i.e., problems and controversies pertaining to the relationship between employer and employee. Section 1 thereof provides as follows —

“Sec. 1. Jurisdiction. — There is created a Court of Industrial Relations herein after called the court, which shall have jurisdiction over the entire Philippines to consider, investigate, decide and settle all questions, matters,

controversies, or disputes arising between, and/or affecting employers and employees or laborers, and regulate the relations between them.” (Italics supplied.)

From the foregoing, it is clear that the jurisdiction of the CIR can be invoked only when there is a dispute arising between or affecting employers and employees, or when an employer-employee relationship exists between the parties.

There being no labor dispute between the petitioner and the private respondent, the Court of First Instance^[6] has the jurisdiction to issue the injunctive relief sought by the private respondent in Civil Case No. 18460.^[7] The latter case can proceed independently of the case pending in the Court of Industrial Relations.^[8]

Accordingly, the writ of certiorari sought by the petitioner cannot issue.

WHEREFORE, in view of the foregoing, the instant Petition for certiorari is hereby **DISMISSED** for lack of merit. We make no pronouncement as to costs.

SO ORDERED.

Teehankee, (C.J.), Narvasa, Cruz and Griño-Aquino, JJ., concur.

[1] Pages 12 and 13, Rollo.

[2] Page 14, Rollo.

[3] Page 18, Rollo.

[4] Pages 1 to 5, Rollo.

[5] Pages 32 to 36, Rollo.

[6] The Courts of First Instance have been replaced with the Regional Trial Court pursuant to Batas Pambansa Blg. 129.

[7] Trade Unions of the Philippines & Allied Services Local Chapter No. 1158 vs. Coscolluela, Jr., 140 SCRA 302 (1985).

[8] Cases involving unfair labor practices are now resolved by the National Labor Relations Commission.