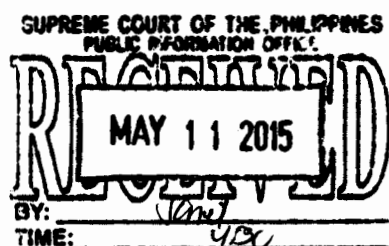




Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

NOTICE



Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **March 23, 2015** which reads as follows:*

“G.R. No. 216080 (Democratic Association of Labor Organization [DALO]/Jose Latorgo, Patricio Quijano, Juanito Villarín, Imelda Artucilla, Susan Ricafort, et al. v. Hacienda Benita Jara/Estate of Nicholas* Jalandoni/Enriqueta Jalandoni [Legitimate Spouse of Nicholas Jalandoni], Appointed Executors Jose D. Flores, Jr., and Ana Bella V. Corotan). - The petitioners’ motion for an extension of thirty (30) days within which to file a petition for review on certiorari is **GRANTED, counted from the expiration of the reglementary period.**

The counsel for petitioners is hereby required to **COMPLY** within five (5) days from notice hereof with A.M. No. 07-6-5-SC dated July 10, 2007 re: statement of contact details (e.g., telephone number, fax number, cellular phone number or e-mail address) of parties or their counsels in all papers and pleadings filed with the Supreme Court.

After a judicious review of the records, the Court resolves to **DENY** the instant petition and **AFFIRM** the December 4, 2013 Decision¹ and November 18, 2014 Resolution² of the Court of Appeals (CA) in CA-G.R. CEB-SP No. 03958 for failure of Democratic Association of Labor Organization [DALO]/Jose Latorgo, Patricio Quijano, Juanito Villarín, Imelda Artucilla, Susan Ricafort, et al. (petitioners) to show that the CA

- over – three (3) pages

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* “Nicolas” in some parts of the record.

¹ Rollo, pp. 22-30. Penned by Associate Justice Ma. Luisa C. Quijano-Padilla with Associate Justices Ramon Paul L. Hernando and Carmelita Salandanan-Manahan, concurring.

² Id. at 37-39. Penned by Associate Justice Ma. Luisa C. Quijano-Padilla with Associate Justices Ramon Paul L. Hernando and Pamela Ann Abella Maxino, concurring.

March 23, 2015

committed any reversible error in holding that the National Labor Relations Commission did not gravely abuse its discretion in finding that the Labor Arbiter (LA) did not validly acquire jurisdiction over the person of the estate of Nicholas Jalandoni (estate).

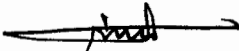
As correctly ruled by the CA, summons were not properly served on the executors of the estate,³ hence, the LA's finding that the estate should be liable for petitioners' claims is not binding. Moreover, petitioners should have filed their claims before the probate court.⁴

The National Labor Relations Commission is **DELETED** as party respondent in this case pursuant to Sec. 4, Rule 45, 1997 Rules of Civil Procedure, as amended.

The Cash Collection and Disbursement Division is hereby **DIRECTED** to **RETURN** to the petitioners the excess amount of ₱470.00 paid for filing fees under O.R. No. 0107952-SC-EP dated January 30, 2015.

SO ORDERED.”

Very truly yours,


EDGAR O. ARICHETA

Division Clerk of Court ^{in 4/10}
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- over -

³ See *Boston Equity Resources, Inc. v. CA*, G.R. No. 173946, June 19, 2013, 699 SCRA 16.

⁴ Section 5, Rule 86 of the Rules of Court provides:

SEC. 5. *Claims which must be filed under the notice. If not filed, barred; exceptions.* – All claims for money against the decedent, arising from contract, express or implied, whether the same be due, not due, or contingent, all claims for funeral expenses and expenses for the last sickness of the decedent, and judgment for money against the decedent, must be filed within the time limited in the notice; otherwise they are barred forever, except that they may be set forth as counterclaims in any action that the executor or administrator may bring against the claimants. x x x

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(NLRC RAB Case No. VI-09-10637-01;
NLRC Case No. VAC-03-000165-08)

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