



Republic of the Philippines  
Supreme Court  
Manila

FIRST DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **June 15, 2020** which reads as follows:*

**“G.R. No. 249145 (NANJING INDUSTRIAL TOOLS AND EQUIPMENT COMPANY (NITEC TRANSPORT) AND CAMILO BALITA, petitioners, versus GENARO T. BORDALLO, respondent).-** The petition has no merit.

The arguments raised by Nanjing Industrial Tools and Equipment Company (NITEC Transport) in this petition were mere rehash of those already raised before and passed upon by the labor tribunals and the Court of Appeals (CA). NITEC Transport insisted that respondent Genaro Bordallo (Bordallo) was not entitled to the refund of his cash bond deposit for the following reasons: (1) that Bordallo was aware of the deductions from his cash bond deposit as demonstrated by one instance where he expressly authorized a deduction to answer for the liabilities he incurred in a criminal case; (2) that Bordallo did not dispute the infractions he committed for which NITEC Transport was fined by the Manila International Airport Authority; (3) that Bordallo was aware of his outstanding unremitted boundary; and (4) that NITEC Transport merely exercised its prerogative when it deducted the amounts from Bordallo’s cash bond deposit. NITEC Transport also maintained that the award of attorney’s fees was improper in the absence of bad faith on its part. It is clear that through the instant petition, NITEC Transport would have the Court re-examine the factual findings of the Labor Arbiter (LA), the National Labor Relations Commission (NLRC) and the CA.

It is settled that in a petition for review on *certiorari* under Rule 45 only questions of law may be put in issue and questions of facts will not be entertained.<sup>1</sup> Moreover, if the factual findings of the

<sup>1</sup> *Century Iron Works, Inc. v. Banas*, 711 Phil. 576, 584 (2013).

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NLRC and the LA have been affirmed by the CA, the Court accords them respect and finality. It is settled that the findings of fact of administrative agencies and quasi-judicial bodies, which have acquired expertise because their jurisdiction is confined to specific matters, are generally accorded not only respect, but finality when affirmed by the CA.<sup>2</sup>

While there are instances where the Court has allowed exceptions to this rule, the Court finds no cogent reason to deviate from the findings of the LA, the NLRC and the CA.

However, conformably with prevailing jurisprudence, legal interest at the rate of 6% *per annum* should be imposed on the total monetary award reckoned from the finality of this Resolution until full payment.

**WHEREFORE**, in view of the foregoing, the Petition for Review on *Certiorari* dated September 12, 2019 is **DENIED**. The Decision dated April 8, 2019 and Resolution dated August 20, 2019 of the Court of Appeals in CA-G.R. SP No. 157555 are **AFFIRMED with MODIFICATION** that the total monetary award shall earn legal interest at the rate of 6% *per annum* from the finality of this Resolution until full payment.

The National Labor Relations Commission and Hon. Labor Arbiter Paz Eugenia D. Neri-Dysangco are **DROPPED** as party respondents in this case pursuant to Sec. 4, Rule 45, 1997 Rules of Civil Procedure, as amended.

**SO ORDERED.”**

Very truly yours,

  
**LIBRADA C. BUENA**  
Division Clerk of Court 7.12.20

**129**

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<sup>2</sup> *Sarona v. NLRC*, 679 Phil. 394, 414 (2012).

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(NLRC LAC No. 10-003251-17)

