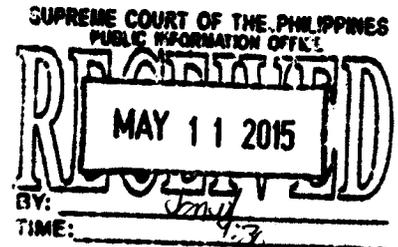




Republic of the Philippines  
Supreme Court  
Manila

FIRST DIVISION

NOTICE



Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **March 25, 2015** which reads as follows:*

**“G.R. No. 215876 (Melchor J. Delapus v. C.U.L. Transport, Inc. and Mrs. Carolina Uy Lam).** - The petitioner’s 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.

After a judicious review of the records, the Court resolves to **DENY** the instant petition and **AFFIRM** the April 4, 2014 Decision<sup>1</sup> and November 20, 2014 Resolution<sup>2</sup> of the Court of Appeals (CA) in CA-G.R. SP No. 121194 for failure of Melchor J. Delapus (petitioner) to show that the CA committed any reversible error in upholding his dismissal from respondent C.U.L. Transport, Inc. on the ground of serious misconduct for instigating a fight with his co-driver.

As correctly pointed out by the CA, petitioner was accorded substantive and procedural due process as he was first, notified of the February 2, 2010 conference, where he, in fact, was able to explain his side, and second, notified of his employer’s decision (dated March 4, 2010) to dismiss him based on the evidence culled during the concluded investigation.<sup>3</sup> It is settled that to meet the requirements of due process in the dismissal of an employee, an employer must furnish the worker with

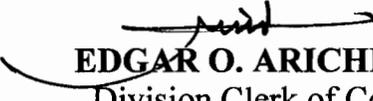
- over - two (2) pages .....

<sup>1</sup> Rollo, pp. 192-200. Penned by Associate Justice Agnes Reyes-Carpio with Associate Justices Noel G. Tijam and Priscilla Baltazar-Padilla, concurring.  
<sup>2</sup> Id. at 208-209.  
<sup>3</sup> See id. at 55-58, 63.

two written notices: (1) a written notice specifying the grounds for termination and giving to said employee a reasonable opportunity to explain his side; and (2) another written notice indicating that, upon due consideration of all circumstances, grounds have been established to justify the employer's decision to dismiss the employee,<sup>4</sup> which respondent complied with this case.

**SO ORDERED.”**

Very truly yours,

  
**EDGAR O. ARICHETA**  
Division Clerk of Court *gk +18*

**10**

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Manila  
(CA-G.R. SP No. 121194)

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NATIONAL LABOR RELATIONS  
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PPSTA Bldg., Banawe  
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(NLRC NCR Case No. 03-03776-10;  
NLRC LAC No. 10-002519-10)

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Judgment Division (x)  
Supreme Court

SR

<sup>4</sup> *Perez v. Philippine Telegraph and Telephone Company*, 602 Phil. 522, 535 (2009); citation omitted.