



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 18, 2021** which reads as follows:*

“G.R. No. 254528 (Gilbert G. Ignacio, Petitioner, v. Cesar Correa Larosa, Jr. and Joy C. Barril, Respondents). – 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 review of the records, the Court resolves to **DENY** the petition for failure to sufficiently show that the Court of Appeals (CA) committed any reversible error in its Decision¹ dated 03 June 2020 and Resolution² dated 23 November 2020, affirming the Decision³ dated 11 April 2018 of the National Labor Relations Commission (NLRC) as to warrant the exercise of the Court’s appellate jurisdiction.

Based on the uniform findings of the labor tribunals and the CA, respondents were illegally dismissed. An illegally dismissed employee is entitled to a twin relief of reinstatement and backwages.⁴ In this case, respondents were no longer allowed to drive any of petitioner’s vehicles and new drivers were hired to drive the vehicles assigned to them, making their reinstatement no longer possible. Thus, payment of backwages and separation pay, in lieu of reinstatement, are warranted. In addition, the award of attorney’s fees is in order, as respondents were compelled to litigate to seek redress and protect their rights, as result of their illegal dismissal.⁵

- over – two (2) pages ...

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¹ Rollo, pp. 51-59.

² *Id.* at 61-62.

³ *Id.* at 98-105.

⁴ *Dumapis v. Lepanto Consolidated Mining Co.*, G.R. No. 204060, 15 September 2020 [Per J. Lazaro-Javier].

⁵ Rollo, p. 115.

In consonance with prevailing jurisprudence, legal interest at the rate of six percent (6%) *per annum* should be imposed upon the monetary awards granted in favor of respondents, computed from the finality of the NLRC's Decision dated 11 April 2018 until full payment.⁶

WHEREFORE, the Decision dated 03 June 2020 and Resolution dated 23 November 2020 of the Court of Appeals in CA-G.R. SP No. 157217 are hereby **AFFIRMED** with **MODIFICATION** that all monetary awards shall be subject to legal interest of six percent (6%) *per annum* to be computed from the date of finality of the NLRC's Decision dated 11 April 2018 until full payment.

SO ORDERED.” *Peralta, C.J., took no part; Inting, J., designated Additional Member per raffle dated 15 March 2021.*

By authority of the Court:


LIBRADA C. BUENA
Division Clerk of Court

by:

MARIA TERESA B. SIBULO
Deputy Division Clerk of Court
105-A₁

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(NLRC NCR Case No. 05-06592-17)

⁶ *Pelagio v. Philippine Transmarine Carriers, Inc.*, G.R. No. 231773, 11 March 2019 [Per J. Peralta-Bernabe], citing *Nacar v. Gallery Frames*, 716 Phil. 267-283 (2013); G.R. No. 189871, 13 August 2013 [Per J. Peralta].

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