



Republic of the Philippines
Supreme Court
 Manila

THIRD DIVISION

**DEL MONTE LAND TRANSPORT
 BUS COMPANY, DON L.
 MORALES, and EILEEN
 FLORES,**

Petitioners,

- versus -

**ROMEO M. JARANILLA,
 MARLON H. GUANTERO, and
 JESUS B. DOMANAIS,**

Respondents.

G.R. No. 251518

Present:

CAGUIOA, J.,
Chairperson,
 INTING,
 GAERLAN,
 DIMAAMPAO, *and*
 SINGH,* *JJ.*

Promulgated:

November 27, 2024

MispDCBatt

X-----X

DECISION

GAERLAN, J.:

For the Court’s consideration is a Petition for Review on *Certiorari*¹ under Rule 45 of the Rules of Court filed by Del Monte Land Transport Bus Company (DLTB), Don L. Morales, and Eileen Flores (collectively, petitioners) assailing the Court of Appeals (CA) Decision² promulgated on March 14, 2019, in CA-G.R. SP No. 151070, which affirmed the National Labor Relations Commission (NLRC), Quezon City Resolution³ dated January 30, 2017 in NLRC LAC No. 01-000227-14 (AE-10-16)(4), NLRC NCR CN 08-12004-13, NLRC NCR CN 08-12009-13, and NLRC NCR CN 08-12160-13. In its Resolution, the NLRC dismissed petitioners’ appeal and affirmed the Labor Arbiter’s (LA’s) Order⁴ dated August 30, 2016 in NLRC NCR Case No. 08-12004-13, issuing an Alias Writ of Execution in favor of Romeo M. Jaranilla (Jaranilla), Marlon H. Guantero (Guantero), and Jesus B. Domanais (Domanais), (collectively, respondents).

* On official business.

¹ *Rollo*, pp. 10–77.

² *Id.* at 79–88. Penned by Associate Justice Eduardo B. Peralta, Jr. and concurred in by Associate Justices Ramon R. Garcia and Gabriel T. Robeniol of the Tenth Division of the Court of Appeals, Manila.

³ *Id.* at 145–152.

⁴ *Id.* at 156–158. Penned by Labor Arbiter Irene Castro De Quiroz of the National Capital Region, Quezon City.

The Antecedents

This case stemmed from consolidated complaints for illegal dismissal, full backwages, and reinstatement filed by respondents against petitioners. On November 25, 2013, LA Benedict G. Kato (LA Kato) issued a Decision granting the complaints and ruled that respondents were all illegally dismissed from their employment.⁵

DLTB, thereafter, interposed an appeal with the NLRC. On April 23, 2014, the NLRC issued a Decision⁶ granting DLTB's appeal. The NLRC dismissed the consolidated complaints. In effect, the LA's Order dated November 25, 2013, was reversed and set aside.

Aggrieved, respondents moved for reconsideration. In its Resolution⁷ dated October 31, 2014, the NLRC granted respondents' motion and reinstated the Decision of the LA.

Petitioners, thereafter, filed a Petition for *Certiorari* with the CA (CA-G.R. SP No. 138339) assailing the October 31, 2014 Resolution of the NLRC.⁸ Pending resolution of CA-G.R. SP No. 138339, respondents moved for and secured a Writ of Execution⁹ of the LA's November 25, 2013 Order. Pursuant to the said Writ, petitioners issued a check in the amount of PHP 1,189,364.42 as partial payment for the judgment award. Meanwhile, the balance of the judgment award shall be secured from the cash bond posted by petitioners in the amount of PHP 247,080.29.¹⁰

On March 27, 2015, LA Kato issued an Order¹¹ releasing to respondents the amounts that were due to them in satisfaction of the judgment award. Based on the Disbursement Vouchers, Jaranilla received the amount of PHP 397,541.02,¹² Guantero received the amount of PHP 387,895.25,¹³ and Domanais, received the amount of PHP 403,928.14, all of which are exclusive of tax.¹⁴

⁵ *Id.* at 165–174.

⁶ *Id.* at 175–188. Penned by Presiding Commissioner Raul T. Aquino and concurred in by Commissioners Teresita D. Castillon-Lora and Erlinda T. Agus of the Second Division of the National Labor Relations Commission, Quezon City.

⁷ *Id.* at 190–195. Penned by Presiding Commissioner Gregorio O. Bilog, III. Concurred in by Commissioner Alan A. Ventura and dissented by Commissioner Erlinda T. Agus of the Second Division of the National Labor Relations Commission, Quezon City.

⁸ *Id.* at 81.

⁹ *Id.* at 196.

¹⁰ *Id.* at 197.

¹¹ *Id.* at 201–202.

¹² *Id.* at 206.

¹³ *Id.* at 207.

¹⁴ *Id.* at 208.

Subsequently, on June 30, 2015, the CA, in CA-G.R. SP No. 138339 granted petitioners' Petition for *Certiorari* and annulled the October 31, 2014 Resolution of the NLRC.¹⁵ The CA ratiocinated that respondents were legally dismissed from employment and that petitioners complied with the two-notice rule.¹⁶ Essentially, the CA reinstated the April 23, 2014 NLRC Decision resulting in the dismissal of the complaints for supposed unlawful termination from employment by petitioners. On November 24, 2015, the Decision of the CA in CA-G.R. SP No. 138339 became final and executory.¹⁷

Thereafter, respondents filed before the LA a Motion for Issuance of Alias Writ of Execution.¹⁸ Therein, respondents averred that the amount released to them corresponds to their accrued backwages or reinstatement wages computed only up to November 2014. They further claimed that considering that the NLRC, on motion for reconsideration, reinstated the LA's ruling, they are entitled to reinstatement wages from December 2014 up to the finality of the Decision of the CA reversing the LA's ruling. Accordingly, respondents asked for the issuance of an Alias Writ of Execution for the full satisfaction of their accrued backwages or reinstatement wages.¹⁹

The LA Ruling

As LA Kato had already inhibited from the case, Labor Arbiter Irene Castro De Quiroz (LA De Quiroz), after due hearing, granted respondents' motion in an Order²⁰ dated August 30, 2016. LA De Quiroz ruled that respondents are entitled to reinstatement wages from November 25, 2013 to April 23, 2014, the date when the NLRC reversed the Decision of the LA, and from October 31, 2014, when the NLRC granted respondents' motion for reconsideration and reinstated the LA ruling, until June 30, 2015, when the CA reversed the NLRC's October 31, 2014 Resolution and declared respondents to have been legally dismissed.²¹

LA De Quiroz emphasized that the reinstatement aspect is immediately executory. Thus, the period covered is from the time the LA rendered a decision in favor of the respondents until it was reversed by the NLRC or the CA.²²

¹⁵ *Id.* at 211–226. Penned by Associate Justice Jane Aurora C. Lantion and concurred in by Associate Justices Magdangal M. De Leon and Nina G. Antonio-Valenzuela of the Seventh Division of the Court of Appeals, Manila.

¹⁶ *Id.* at 221–224.

¹⁷ *Id.* at 241.

¹⁸ *Id.* at 243–247.

¹⁹ *Id.* at 245–246.

²⁰ *Id.* at 156–158.

²¹ *Id.* at 158.

²² *Id.* at 157.

Aggrieved, petitioners appealed the LA ruling with the NLRC.

The NLRC Ruling

The NLRC, on January 30, 2017, dismissed petitioners' appeal for lack of merit.²³ It ratiocinated that while respondents were eventually declared by the CA dismissed on just causes, they were still entitled to their salaries and benefits which had already accrued during the period of the effectivity of the LA's order of reinstatement.²⁴ The NLRC ruled further that petitioners were not entitled to the return of the money already garnished and released despite the CA's ruling that respondents were legally dismissed for just cause.²⁵

Undaunted, petitioners filed a Motion for Reconsideration²⁶ dated February 23, 2017. The same, however, was denied for lack of merit.²⁷

Petitioners, thereafter, filed a Petition for *Certiorari* with the CA.

The CA Ruling

In the assailed Decision²⁸ promulgated on March 14, 2019, the CA dismissed petitioners' Petition for *Certiorari* and affirmed *in toto* the findings of the NLRC. The CA explained that while the November 25, 2013 Order of LA Kato was overturned in the April 23, 2014 Decision of the NLRC, LA Kato's Order was reinstated in the October 31, 2014 Resolution of the NLRC. Simply stated, the October 31, 2014 Resolution of the NLRC revived LA Kato's order, which, following settled jurisprudence, should be executed immediately.²⁹ Accordingly, the CA agreed with the LA and the NLRC that respondents are entitled to their reinstatement wages from November 25, 2013 to April 23, 2014, and October 31, 2014 to June 30, 2015. The CA, thus, disposed of the case in this wise:

WHEREFORE, by reason of the foregoing premises, the instant Petition for *Certiorari* is **DISMISSED**.

SO ORDERED.³⁰ (Emphasis in the original)

²³ *Id.* at 145–152.

²⁴ *Id.* at 149–150.

²⁵ *Id.* at 152.

²⁶ *Id.* at 262–273.

²⁷ *Id.* at 154.

²⁸ *Id.* at 79–88.

²⁹ *Id.* at 85.

³⁰ *Id.* at 88.

Thereafter, petitioners' motion for reconsideration was denied for lack of merit per Resolution³¹ promulgated on January 17, 2020. Hence, the instant Petition for Review on *Certiorari*.

Issues

I.

Whether the CA gravely erred in affirming the NLRC's Decision and concluding that respondents are entitled to reinstatement wages after the NLRC, on reconsideration, reinstated LA Kato's Order, that is from October 31, 2014 to June 30, 2015, when the CA reversed the NLRC Resolution and in effect set aside the LA Decision.

II.

Whether the CA gravely erred in disregarding petitioners' right to restitution, even with the total nullification by the CA, in CA-G.R. SP No. 138339, of the October 31, 2014 NLRC Resolution.

The Court's Ruling

The instant petition is bereft of any merit.

In the instant petition, petitioners averred that the LA erred in granting the Motion for Issuance of Alias Writ of Execution considering that at the time of the filing thereof, respondents are no longer entitled to their accrued wages on account of the finality of the CA Decision in CA-G.R. SP No. 138339, which declared respondents as legally dismissed.³²

Petitioners likewise averred that they are entitled to restitution. They explained that while they admit that the LA's November 25, 2013 Decision is immediately executory, hence, respondents have the right to reinstatement, either actual or in payroll, such right ceased to have any legal effect when the NLRC reversed the LA Decision on April 23, 2014. They also insisted that the reinstatement by the NLRC of the LA Decision on reconsideration is no longer immediately executory. Accordingly, respondents are not entitled to reinstatement from October 31, 2014, when the NLRC reinstated the

³¹ *Id.* at 91–94. Penned by Associate Justice Eduardo B. Peralta, Jr. and concurred in by Associate Justices Ramon R. Garcia and Gabriel T. Robeniol of the Former Tenth Division of the Court of Appeals, Manila.

³² *Id.* at 41.

November 25, 2013 Decision of the LA until the same was reversed by the CA on June 30, 2015.³³

The Court is not persuaded.

Respondents are entitled to reinstatement wages from November 25, 2013 (LA Decision) until June 30, 2015 (final reversal by the CA)

Article 229 (formerly, Article 223) of the Labor Code governs appeals from, and the execution of the LA's Decision. Paragraph 3 thereof reads:

....

In any event, the decision of the Labor Arbiter reinstating a dismissed or separated employee, insofar as the reinstatement aspect is concerned, shall immediately be executory, even pending appeal. The employee shall either be admitted back to work under the same terms and conditions prevailing prior to his dismissal or separation or, at the option of the employer, merely reinstated in the payroll. The posting of a bond by the employer shall not stay the execution for reinstatement provided herein.

....

It is clear from the above-quoted provision that the employer must reinstate the employee—either by physically admitting him under the conditions prevailing prior to his dismissal and paying his wages; or, at the employer's option, merely reinstating the employee in the payroll until the decision is reversed by the higher court.³⁴ Failure of the employer to comply with the reinstatement order, by exercising the options in the alternative, renders him liable to pay the employee's salaries.³⁵

In *Roquero v. Philippine Airlines*,³⁶ the Court exhaustively explained this concept, thus:

The order of reinstatement is immediately executory. The unjustified refusal of the employer to reinstate a dismissed employee entitles him to payment of his salaries effective from the time the employer failed to reinstate him despite the issuance of a writ of execution. Unless there is a

³³ *Id.* at 52–53.

³⁴ *Bergonio, Jr., et al. v. South East Asian Airlines, et al.*, 733 Phil. 347, 358 (2014) [Per J. Brion, Second Division].

³⁵ *See also Garcia, et al. v. Philippine Airlines, Inc., et al.*, 596 Phil. 510, 544 (2009) [Per J. Carpio Morales, *En Banc*]; *Pioneer Texturizing Corp. v. National Labor Relations Commission*, 345 Phil. 1057, 1070 (1997) [Per J. Francisco, *En Banc*].

³⁶ 449 Phil. 437, 446 (2003) [Per J. Puno, Third Division].

restraining order issued, it is ministerial upon the Labor Arbiter to implement the order of reinstatement. . .³⁷ (Citation omitted)

Moreover, it is worth noting that the basis for making LA's order of reinstatement immediately executory even pending appeal is the Constitution. This was enunciated in the case of *Aris (Phil.) Inc. v. NLRC*,³⁸ to wit:

In authorizing execution pending appeal of the reinstatement aspect of a decision of the Labor Arbiter reinstating a dismissed or separated employee, **the law itself has laid down a compassionate policy which, once more, vivifies and enhances the provisions of the 1987 Constitution on labor and the working-man.**

....

These duties and responsibilities of the State are imposed not so much to express sympathy for the workingman as to forcefully and meaningfully underscore labor as a primary social and economic force, which the Constitution also expressly affirms with equal intensity. Labor is an indispensable partner for the nation's progress and stability.

....

In short, with respect to decisions reinstating employees, the law itself has determined a sufficiently overwhelming reason for its execution pending appeal.

....

Then, by and pursuant to the same power [police power], the State may authorize an immediate implementation, pending appeal, of a decision reinstating a dismissed or separated employee since that saving act is designed to stop, although temporarily since the appeal may be decided in favor of the appellant, a continuing threat or danger to the survival or even the life of the dismissed or separated employee and its family.³⁹ (Emphasis supplied)

An employee, whose case is pending appeal after the LA's favorable decision, is expected to make ends meet. Thus, actual reinstatement, or in the alternative, reinstatement wages, would be essential in such a situation, and the Constitution, as well as pertinent jurisprudence, gives the lowly employee the right thereto until the reversal of the LA Decision.

In the instant case, it is established that LA Kato issued a Decision on November 25, 2013, declaring respondents to have been illegally dismissed from their employment. Following the earlier pronouncement, upon rendition

³⁷ *Id.*

³⁸ 277 Phil. 282 (1991) [Per J. Davide, Jr., *En Banc*].

³⁹ *Id.* at 292-294.

of the same, the right of respondents to be reinstated, either actual or in payroll, automatically attached. Petitioners, therefore, became liable for the accrued salary or reinstatement wages of respondents as they were not actually reinstated starting November 25, 2013 until it was reversed by the NLRC in its April 23, 2014 Decision.

This begs the question, are petitioners still liable for the payment of reinstatement wages: (1) from April 23, 2014, when the NLRC reversed the LA Decision, until October 31, 2014, when the NLRC, on reconsideration, reinstated the LA's November 25, 2013 Decision; and (2) from October 31, 2014 (NLRC's reinstatement of the LA Decision) until June 30, 2015, when the CA declared that respondents were justly terminated from employment?

To recapitulate, on April 23, 2014, the NLRC reversed the LA Decision on appeal and ruled that respondents were legally dismissed. On reconsideration, however, or on October 31, 2014, the NLRC reversed its April 23, 2014 Decision. In effect, the October 31, 2014 Resolution of the NLRC reinstated the LA's November 25, 2013 Decision declaring respondents illegally dismissed. Because of such reinstatement, the LA Decision was revived as a binding order.

The Court is constrained to modify the LA Order dated August 30, 2016 issuing an Alias Writ of Execution, as affirmed by the NLRC and the CA. To recall, the LA, the NLRC, and the CA are one in ruling that petitioners are liable for the reinstatement wages of respondents from November 25, 2013 to April 23, 2014, and October 31, 2014 to June 30, 2015 (the period when the NLRC reinstated the LA ruling on reconsideration until reversal thereof by the CA), but not from April 23, 2014 to October 31, 2014 (the period when the NLRC reversed the LA ruling on appeal). However, after a careful perusal of the records of the case, with regard the pertinent case law, the Court deems it proper to grant respondents' reinstatement wages, not only from November 25, 2013 to April 23, 2014, and from October 31, 2014 to June 30, 2015, but also from April 23, 2014 to October 31, 2014 (NLRC's reversal of the LA Decision). Otherwise stated, the Court rules that respondents are entitled to their accrued salaries or reinstatement wages starting from November 25, 2013 to June 30, 2015, i.e., for the entire period of appeal from the LA Decision until its reversal by the CA on June 30, 2015.

The Court is guided by its earlier ruling in the case of *Aboc v. Metropolitan Bank and Trust Company*.⁴⁰ In that case, the Court declared, "... [that] it is obligatory on the part of the employer to reinstate and pay the wages of the dismissed employee during the period of appeal until **final**

⁴⁰ 652 Phil. 311 (2010) [Per J. Mendoza, Second Division].

4

reversal by the higher court.”⁴¹ The use of the words “final reversal” is all important. It prescribes that the employee’s right to reinstatement, either actual or in payroll, ceases only when a higher court or tribunal reverses the LA’s decision favoring the employee, and such reversal was not later on set aside by itself, on reconsideration, or by a superior court or tribunal.

To put things into more perspective, if the LA Decision declaring the employees illegally dismissed was reversed by the NLRC on appeal, but on reconsideration, the NLRC sets aside its earlier resolution and reinstates the LA Decision, or if the CA sets aside the NLRC’s reversal of the LA Decision, the NLRC’s reversal of the LA Decision cannot be considered a final reversal as it is later on reversed by itself, on reconsideration, or by the CA, on review. Differently stated, if the LA Decision declaring the employees illegally dismissed is affirmed by the NLRC, but reversed by the CA, and such reversal is later affirmed by this Court in a Rule 45 petition, the final reversal contemplated by jurisprudence is not when this Court issues a decision affirming the ruling of the CA, but when the CA reversed the LA Decision. The CA’s reversal is considered a final reversal as it was not later set aside or reversed. Such is the case even if it is this Court’s decision that attains finality.

In the instant case, the Court considers the CA’s Decision dated June 30, 2015 as the final reversal of the LA Decision. The reversal by the NLRC of the LA Decision on April 23, 2014 cannot be considered a final reversal as the NLRC set aside its earlier ruling and reinstated the LA Decision in its October 31, 2014 Resolution. The final reversal of the LA Decision occurred only on June 30, 2015, when the CA ruled that respondents were legally dismissed from employment. It is considered a final reversal since the CA Decision was not subsequently set aside, and in fact, attained finality on November 24, 2015.

Following the foregoing ratiocination, respondents are entitled to their reinstatement wages from November 25, 2013 (LA Decision) until June 30, 2015 (final reversal by the CA). The period of the NLRC’s reversal of the LA Decision (April 23, 2014 to October 31, 2014) should, therefore, be included in the computation of respondents’ reinstatement wages for reasons above discussed.

Petitioners are entitled to an Alias Writ of Execution despite the finality of the CA Decision declaring them justly terminated from employment

⁴¹ *Id.* at 330. Citation omitted; emphasis supplied.

In the instant petition, petitioners contended that the Motion for Issuance of Alias Writ of Execution should have been dismissed as it was filed after the finality of the June 30, 2015 Decision of the CA. The Court, however, finds the same bereft of any merit.

It is settled that even if the order of reinstatement of the LA is reversed on appeal, it is obligatory on the part of the employer to reinstate and pay the wages of the dismissed employee during the period of appeal until final reversal by the higher court.⁴² The reinstated employee is not required to return the salary he received during the period the lower court or tribunal declared that he was illegally dismissed, even if the employer's appeal would eventually be ruled in its favor.⁴³

The Court, however, is not unaware of the exception to this rule. In other words, an employee may be barred from collecting the accrued wages, but only if it is shown that the delay in enforcing the reinstatement pending appeal was without fault on the part of the employer.⁴⁴ There are two tests to determine whether the employee is already barred from claiming reinstatement wages:

(1) **actual delay** or the fact that the order of reinstatement pending appeal was not executed prior to its reversal; and (2) **the delay must not be due to the employer's unjustified act or omission**. Note that under the second test, the delay must be without the employer's fault. If the delay is *due to the employer's unjustified refusal, the employer may still be required to pay* the salaries notwithstanding the reversal of the LA's decision.⁴⁵ (Emphasis supplied)

Measured against the foregoing yardstick, the Court holds that respondents are not barred from claiming, in full, their reinstatement wages.

The order of reinstatement was executed prior to the CA's reversal of the LA Decision. Records show that the Writ of Execution was issued prior to June 30, 2015.⁴⁶ Furthermore, as evidenced by Disbursement Vouchers,⁴⁷ the judgment award was released to respondents on April 10, 2015. There is, therefore, no delay in the execution of the order of reinstatement.

⁴² *Id.*

⁴³ *Wenphil Corporation v. Abing, et al.*, 731 Phil. 685, 697 (2014) [Per J. Brion, Second Division].

⁴⁴ *Garcia, et al., v. Philippine Airlines, Inc., et al.*, 596 Phil. 510, 541 (2009) [Per J. Carpio-Morales, *En Banc*].

⁴⁵ *Bergonio, Jr., et al., v. South East Asian Airlines, et al.*, 733 Phil. 347, 361 (2014) [Per J. Brion, Second Division].

⁴⁶ *Rollo*, p. 196.

⁴⁷ *Id.* at 206–208.

Moreover, respondents only seek the full satisfaction of the order of reinstatement of the LA. To recall, in their Motion for Issuance of Alias Writ of Execution,⁴⁸ respondents averred that the earlier issued Writ of Execution only covers their reinstatement wages from November 25, 2013 to November 2014.⁴⁹ They, thus, prayed that an Alias Writ of Execution be issued covering December 2014 until November 2015, i.e., when the June 30, 2015 Decision of the CA became final and executory.⁵⁰

From the foregoing, it is beyond cavil that respondents may still claim their reinstatement wages notwithstanding the reversal of the LA Decision by the CA. Contrary to the contention of respondents, however, the computation for their reinstatement wages should only be up to June 30, 2015, when the CA issued its Decision reversing the LA Decision. This is pursuant to relevant jurisprudence which specifies that the computation of reinstatement wages or accrued backwages due to the employees during the period of appeal should end on the date that a higher court reversed the labor arbitration ruling of illegal dismissal, not on the date that the same became final and executory.⁵¹ Accordingly, the issuance of an Alias Writ of Execution by the LA is warranted in this case. However, the same should be modified to include the period from April 23, 2014 to October 31, 2014 in the computation for respondents' reinstatement wages.

A re-computation of respondents' reinstatement wages covering the period from November 25, 2013 to June 30, 2015 is necessary to determine whether petitioners are still liable to pay respondents additional reinstatement wages to fully cover their accrued wages or whether they are entitled to restitution

The Court takes judicial notice that a separate case involving the enforceability of the Updated Writ of Execution dated June 5, 2017, which was issued pursuant to the LA Order dated August 30, 2016, the herein-assailed order, had already been decided with finality by the CA.

Records show that after the NLRC affirmed the LA Order granting the Motion for Issuance of Alias Writ of Execution, LA De Quiroz issued an Updated Writ of Execution⁵² dated June 5, 2017, wherein she ordered sheriff Vicente M. Ramos, Jr. to collect the total amount of PHP 967,147.24 from

⁴⁸ *Id.* at 243–247.

⁴⁹ *Id.* at 245–246.

⁵⁰ *Id.* at 246.

⁵¹ *Wenphil Corporation v. Abing et al.*, 731 Phil. 685, 703 (2014) [Per J. Brion, Second Division].

⁵² *Rollo*, pp. 285–289.

DLTB corresponding to respondents' reinstatement wages from November 25, 2013 to April 23, 2014, and October 31, 2014 to June 30, 2015, as well as attorney's fees.

Petitioners questioned the issuance of the Updated Writ of Execution through a Petition for Extraordinary Remedies (With Prayer for the Issuance of a Temporary Restraining Order and/or Writ of Preliminary or Permanent Injunction)⁵³ dated June 20, 2017 filed before the NLRC. Therein, petitioners asserted that based on the Disbursement Vouchers and the Computation Sheet, respondents have already received their reinstatement wages from November 2013 to January 31, 2015. Respondents, therefore, had already received more than what they are lawfully entitled as they are only entitled to reinstatement wages from November 25, 2013 to April 23, 2014. Petitioners, thus, prayed to set aside the Updated Writ of Execution.

On July 31, 2017, the NLRC issued a Decision⁵⁴ granting petitioners' Petition for Extraordinary Remedies. The NLRC recognized that the amounts released to respondents corresponding to their reinstatement wages exceed the awards being executed in the Updated Writ of Execution. The pertinent portion of the NLRC Decision reads:

Nevertheless, the disbursement vouchers presented by petitioners show that the following amounts garnished from them were already released to private respondents:

Jaranilla - [PHP] 397,541.02
Guantero - [PHP] 387,895.25
Domanais - [PHP] 403,928.14

Moreover, it appears that the released amounts even exceeded the awards being executed in the assailed writ, which computed private respondents' reinstatement wages as follows:

Jaranilla - [PHP] 283,623.27
Guantero - [PHP] 283,623.27
Domanais - [PHP] 311,978.22

Considering the apparent previous release of the garnished amounts in favor of private respondents, it is only proper to determine first whether or not the same amounts to a full or partial satisfaction of the judgment being executed, before actually proceeding to collect the full amount of the judgment award from petitioners.⁵⁵

⁵³ *Id.* at 291–335.

⁵⁴ *Id.* at 337–341. Penned by Commissioner Isabel G. Panganiban-Ortiguerra and concurred in by Presiding Commissioner Joseph Gerard E. Malilog and Commissioner Nieves E. Vivar-De Castro of the Sixth Division of the National Labor Relations Commission, Quezon City.

⁵⁵ *Id.* at 340.

The NLRC, thus ordered the LA to: (1) desist from enforcing the June 5, 2017 Updated Writ of Execution, and (2) determine the actual amounts that must still be collected from petitioners in view of the prior release of the garnished funds to respondents.⁵⁶ Aggrieved, respondents filed a Petition for *Certiorari* assailing the July 31, 2017 Decision before the CA.

The CA, thereafter, in CA-G.R. SP No. 149493, affirmed the NLRC Decision and enjoined the execution of the Updated Writ of Execution dated June 5, 2017. The CA Decision had already become final and executory.

With the CA's findings that the amount subject of the Updated Writ of Execution is more than that which respondents are entitled to receive as their reinstatement wages, the Court deems it necessary to require the LA to make a re-computation of respondents' reinstatement wages covering the period from November 25, 2013 to June 30, 2015, pursuant to the Court's ruling in the instant case. The result thereof will determine if petitioners may still be held liable to pay respondents additional reinstatement wages to fully cover their accrued wages if the garnished and released amount is found wanting. On the other hand, petitioners may be entitled to restitution if, after re-computation of reinstatement wages, the same is found less than the amount garnished and already released in favor of respondents.

All told, the Court is constrained to modify the order of LA De Quiroz granting respondents' Motion for Issuance of Alias Writ of Execution. Not only are respondents entitled to reinstatement wages for the periods of November 25, 2013 to April 23, 2014, and October 31, 2014 to June 30, 2015, but respondents are likewise entitled to reinstatement wages from April 23, 2014 to October 31, 2014. Accordingly, petitioners should be obliged to pay respondents their reinstatement wages from November 25, 2013 to June 30, 2015.

ACCORDINGLY, in view of the foregoing premises, the Petition for Review on *Certiorari* is **DENIED**. The Court of Appeals Decision dated March 14, 2019, in CA-G.R. SP No. 151070 is **AFFIRMED with MODIFICATION**. The Labor Arbiter's Order dated August 30, 2016 is **MODIFIED** in that respondents Romeo M. Jaranilla, Marlon H. Guantero, and Jesus B. Domanais are entitled to reinstatement wages from November 25, 2013 to June 30, 2015. Let an Alias Writ of Execution be **ISSUED** to such effect.

The Labor Arbiter is further **DIRECTED** to make a re-computation of the amount of respondents' reinstatement wages for the said period and determine whether the amounts already released to respondents exceed or are

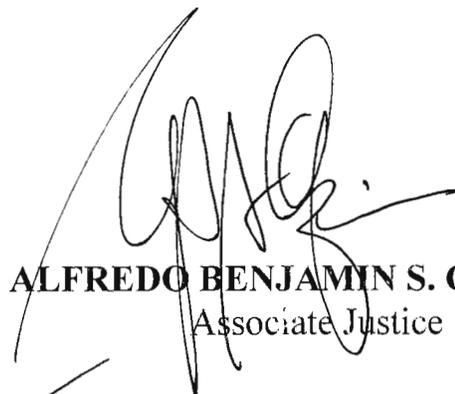
⁵⁶ *Id.* at 340-341.

less than the amounts that respondents are entitled to. Thereafter, the Labor Arbiter is **DIRECTED** to collect from petitioners the amount necessary for the full satisfaction of their reinstatement wages or return to petitioners any excess thereof.

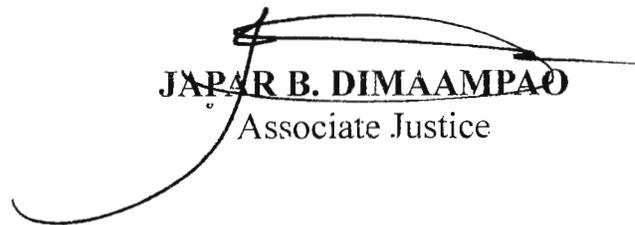
SO ORDERED.


SAMUEL H. GAERLAN
Associate Justice

WE CONCUR:


ALFREDO BENJAMIN S. CAGUIOA
Associate Justice

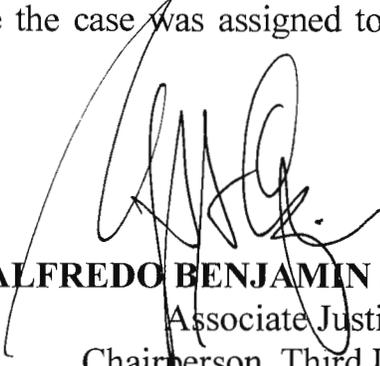

HENRI JEAN PAUL B. INTING
Associate Justice


JAPAR B. DIMAAMPAO
Associate Justice

(On official business)
MARIA FILOMENA D. SINGH
Associate Justice

ATTESTATION

I attest that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.



ALFREDO BENJAMIN S. CAGUIOA
Associate Justice
Chairperson, Third Division

CERTIFICATION

Pursuant to Article VIII, Section 13 of the Constitution and the Division Chairperson's Attestation, I certify that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.



ALEXANDER G. GESMUNDO
Chief Justice