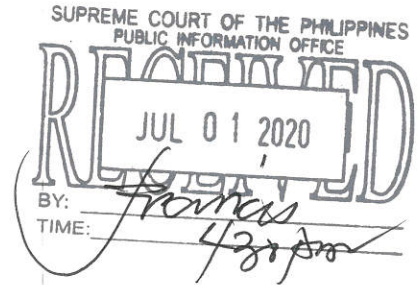




Republic of the Philippines
Supreme Court
Manila
FIRST DIVISION



NOTICE

Sirs/Mesdames:

Please take notice that the Court, First Division, issued a Resolution dated March 4, 2020 which reads as follows:

“G.R. No. 214434 – Goldlink Security and Investigative Services, Inc., Gabby Lopez and Crispin Dantes v. Boyet O. Quiñones

This Petition for Review on *Certiorari*¹ under Rule 45 of the Rules of Court, challenges the Court of Appeals’ (CA) Decision² dated May 13, 2014 and Resolution³ dated September 23, 2014, which found petitioner security agency guilty of illegally dismissing respondent security guard Boyet O. Quiñones.

Respondent was employed by petitioners as security guard since March 22, 2005. In November 2010, respondent was assigned at Maynilad Water Services, Inc. (Maynilad). On January 3, 2011, Maynilad requested petitioners to replace certain security guards, including respondent, due to loss of trust and confidence. Allegedly, respondent was caught sleeping while on duty. Through a letter dated March 24, 2011, petitioners informed respondent that he is placed on “floating status” effective January 4, 2011.⁴ Respondent, thereafter, received a letter dated May 31, 2011, from petitioners informing him that his six-month floating status was to expire without any re-assignment.

On August 9, 2011, respondent was paid a separation pay in the amount of ₱37,520.23 for which he executed the corresponding

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¹ *Rollo*, pp. 3-32.

² Penned by Associate Justice Florito S. Macalino, with Associate Justices Sesinando E. Villon and Pedro B. Corales, concurring; *id.* at 34-41.

³ *Id.* at 43-45.

⁴ *Id.* at 90.

Release Waiver and Quitclaim in favor of petitioners.⁵ On the same date, respondent filed a complaint for illegal dismissal against petitioners.

Respondent alleged that he was re-assigned by petitioners at First Philippine Industrial Corporation (FPIC) West Tower on January 14, 2011 where he worked until June 28, 2011.⁶

Noting that respondent executed a valid quitclaim, the Labor Arbiter dismissed the complaint. This was affirmed by the National Labor Relations Commission (NLRC) on appeal.

Respondent thereafter, elevated the case to the CA on *certiorari*. In reversing the unanimous decisions of the Labor Arbiter and the NLRC, the CA ruled that upon the employer rests the burden of proving that there are no posts available to which the employee temporarily out of work can be assigned. Failing which, according to the CA, it cannot be said that respondent was dismissed with cause. In this case, the CA noted, respondent was actually re-assigned at FPIC. Consequently, the CA remanded the case to the Labor Arbiter for the computation of the monetary benefits due to respondent.

Petitioners assail the CA's ruling through the instant petition for review on *certiorari*.

Pending resolution of the present petition and at the proceedings before the Labor Arbiter, petitioners settled respondent's claim. On December 18, 2014, respondent received the amount of ₱250,000.00 as full satisfaction of the judgment award⁷ and likewise executed a Quitclaim and Release.⁸ In an Order dated February 26, 2015, the Labor Arbiter declared the case as closed and terminated.

In his comment⁹ to the petition, respondent manifests that the instant case was already settled by petitioners and that he further acknowledges receipt of the amount of ₱250,000.00 given by petitioners which was inclusive of all of his other claims, without reinstatement.¹⁰ At any rate, respondent felt compelled to file his comment to the petition in compliance with the Court's directive.¹¹

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⁵ Id. at 105-108.

⁶ Id. at 35.

⁷ Id. at 286.

⁸ Id. at 285.

⁹ Id. at 266-272.

¹⁰ Id. at 266.

¹¹ Id.

In turn, petitioners confirm in their reply that they have settled all of respondent's claims for the amount of ₱250,000.00 as full satisfaction of the judgment award during the hearing before the Labor Arbiter on December 18, 2014. Petitioners attached to its reply the original Quitclaim and Release executed by respondent before the Labor Arbiter as well as the latter's Order dated February 26, 2015.

Petitioners further emphasize that the amicable settlement was fair, just and not contrary to law, morals, and public order and public policy.¹² Petitioners add that the amicable settlement was in conformity with the decision of the CA.¹³ Only because respondent filed his comment to the petition that petitioners, likewise, felt the need to address the same by way of a reply. In any case, petitioners pray that the Court take judicial notice of the Order dated February 26, 2015 of the Labor Arbiter which declared the full satisfaction of the judgment award in the amount of ₱250,000.00 and which considered the case as closed and terminated. There was neither a manifestation nor any slightest indication that petitioners made the payment under protest or that such payment should not be treated as an abandonment of its present petition.

In view of the foregoing, the Court finds that the instant petition is rendered moot by the full satisfaction of the judgment award. There is no need to further scrutinize the assailed action of the CA as petitioners themselves fully complied with its judgment. Especially, as well, when petitioners themselves pray that the Court take notice of the facts of settlement and that the case was already closed and terminated. Where the issues have become moot and academic, there ceases to be any justiciable controversy and where there is no substantial relief to which petitioner will be entitled, courts will decline jurisdiction.¹⁴ The Court, thus, abstains from expressing its opinion in a case, such as this, where no substantial legal relief is necessary.

WHEREFORE, the Petition is **DISMISSED** for being moot and academic.

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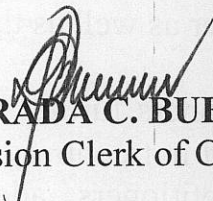
¹² Id. at 276.

¹³ Id.

¹⁴ *Korea Exchange Bank v. Gonzales*, 520 Phil. 690, 701 (2006).

SO ORDERED.” *Peralta, C.J., on official business.*

Very truly yours,


LIBRADA C. BUENA
Division Clerk of Court ^{4/18}
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