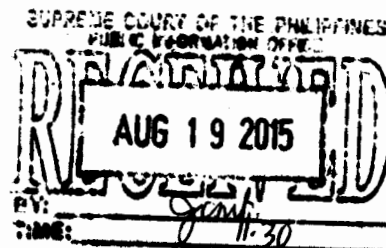




Republic of the Philippines  
Supreme Court  
Manila

FIRST DIVISION

NOTICE



Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated July 29, 2015 which reads as follows:*

**“G.R. No. 218157 (Pangasinan III Electric Cooperative, through its Officer-in-Charge—General Manager, Allan DG Casem\* v. PANELCO Employees Association). - 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; Hon. Raul T. Aquino, Hon. Erlinda T. Agus and Hon. Teresita D. Castillon-Lora, in their capacity as Commissioners of the Second Division of the National Labor Relations Commission, and Labor Arbiter of National Labor Relations Commission, San Fernando, La Union are **DELETED** as party respondents pursuant to Sec. 4, Rule 45, 1997 Rules of Civil Procedure, as amended.**

After a judicious review of the records, the Court resolves to **DENY** the instant petition and **AFFIRM** the September 26, 2014 and April 6, 2015 Resolutions<sup>1</sup> of the Court of Appeals (CA) in CA-G.R. SP No. 132917 for failure of petitioner Pangasinan III Electric Cooperative, through its Officer-in-Charge—General Manager, Allan DG Casem (petitioner) to show that the CA committed any reversible error in sustaining the National Labor Relations Commission’s (NLRC) dismissal of its appeal for: (a) having been filed out of time; and (b) failure to

- over - three (3) pages .....

\* Petitioner was represented by Asst. General Manager Celso S. Sansano in the CA Resolutions; see *rollo*, pp. 45 and 47.

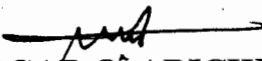
<sup>1</sup> Id. at 47-53 and 45-46, respectively. Penned by Associate Justice Ramon M. Bato, Jr. with Associate Justices Rodil V. Zalameda and Maria Elisa Sempio Diy concurring.

comply with the provisions of Sections 1<sup>2</sup> and 8,<sup>3</sup> Rule 65 of the Rules of Court (Rules).

As correctly ruled by the CA, petitioner, by its own admission, belatedly filed its appeal before the NLRC. It is a fundamental rule that an appeal is neither a natural right nor an integral component of due process. It is merely a statutory privilege and may only be exercised in the manner and in accordance with the provisions of law; hence, failure to perfect the appeal in the period and manner provided by law is fatal to the same.<sup>4</sup> Further, petitioner’s failure to comply with Section 1, Rule 65, in relation to Section 3,<sup>5</sup> Rule 46 of the Rules warrants the dismissal of this petition.

**SO ORDERED.” SERENO, C.J.**, on official leave; **PERALTA, J.**, acting member per S.O. No. 2103 dated July 13, 2015.

Very truly yours,

  
**EDGAR O. ARICHETA**  
Division Clerk of Court, <sup>1st</sup>  
**18**

- over -

<sup>2</sup> SECTION 1. *Petition for certiorari.*— x x x

x x x x

The petition shall be accompanied by a certified true copy of the judgment, order or resolution subject thereof, copies of all pleadings and documents relevant and pertinent thereto, and a sworn certification of non-forum shopping as provided in the third paragraph of section 3, Rule 46.

<sup>3</sup> SEC. 8. *Proceedings after comment is filed.* — x x x

x x x x

However, the court may dismiss the petition if it finds the same patently without merit or prosecuted manifestly for delay, or if the questions raised therein are too unsubstantial to require consideration. x x x

x x x x

<sup>4</sup> See *Building Care Corporation/Leopard Security & Investigation Agency v. Macaraeg*, G.R. No. 198357, December 10, 2012, 687 SCRA 643, 649, citing *Heirs of Teofilo Gaudiano v. Benemerito*, 545 Phil. 311, 316, 320 (2007).

<sup>5</sup> SEC. 3. *Contents and filing of petition; effect of non-compliance with requirements.* — The petition shall contain the full names and actual addresses of all the petitioners and respondents, a concise statement of the matters involved, the factual background of the case, and the grounds relied upon for the relief prayed for.

x x x x

**It shall be filed in seven (7) clearly legible copies together with proof of service thereof on the respondent with the original copy intended for the court indicated as such by the petitioner, and shall be accompanied by a clearly legible duplicate original or certified true copy of the judgment, order, resolution, or ruling subject thereof, such material portions of the record as are referred to therein, and other documents relevant or pertinent thereto. The certification shall be accomplished by the proper clerk of court or by his duly authorized representative, or by the proper officer of the court, tribunal, agency or office involved or by his duly authorized representative. The other requisite number of copies of the petition shall be accompanied by clearly legible plain copies of all documents attached to the original.**

x x x x

**The failure of the petitioner to comply with any of the requirements shall be sufficient ground for the dismissal of the petition. (Emphases supplied)**

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1100 Quezon City  
(NLRC LAC No. 05-001717-13;  
NLRC RAB-I-02-1014-13 [PANG.]

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