

SECOND DIVISION

[G.R. NO. 146930, September 11, 2006]

**ROMMEL B. BEARNEZA PETITIONER, VS. NATIONAL LABOR
RELATIONS COMMISSION AND NFD INTERNATIONAL MANNING
AGENTS, INC., RESPONDENTS.**

D E C I S I O N

CORONA, J.:

This petition for review on certiorari under Rule 45 of the Rules of Court assails the January 25, 2001 decision^[1] of the Court of Appeals in CA- G.R. SP No. 52089 which dismissed the petition for certiorari filed by petitioner Rommel B. Bearneza for lack of merit.

This case originated from a complaint^[2] for permanent total disability benefits filed by petitioner against private respondent NFD International Manning Agents, Inc. on January 17, 1990. The Philippine Overseas Employment Administration (POEA) dismissed the complaint for lack of merit.

On appeal, the National Labor Relations Commission (NLRC) reversed the POEA decision on February 27, 1992.^[3] The manning agency moved for reconsideration but the same was denied in a resolution dated August 31, 1992. The resolution also granted petitioner attorney's fees equivalent to 5% of the judgment award.

On October 1, 1992, the manning agency filed a petition for certiorari before this Court assailing the NLRC's decision and resolution. It was docketed as G.R. No. 107131.

The Court issued a temporary restraining order to enjoin the execution of the judgment award upon posting by the manning agency of a P1 million bond.

On March 13, 1997, the petition was dismissed.^[4] The manning agency sought reconsideration while petitioner filed a "motion for damages on the injunction bond" praying for the imposition of a 12% interest per annum on the judgment award computed from September 22, 1992 until full satisfaction of the award.

On June 16, 1997, the Court denied both the manning agency's motion for reconsideration and petitioner's motion for damages on the injunction bond for lack of merit.

Entry of judgment was made on March 13, 1998. The records of the case were thereafter remanded to the NLRC for execution of judgment.

On December 18, 1997, the labor arbiter issued an alias writ of execution ordering the satisfaction of petitioner's claims in the amounts of P1,209,000 (representing