

Title: Abelardo Bautista and Roberto Tan Ting v. Federico O. Borromeo, Inc., et al.

Facts: On September 15, 1964, a Ford truck driven by Abelardo Bautista and owned by Roberto Tan Ting was involved in an accident with a Volkswagen delivery panel truck owned by Federico O. Borromeo, Inc., resulting in the death of Borromeo's employee, Quintin Delgado. Borromeo paid Delgado's widow compensation and funeral expenses under the Workmen's Compensation Act.

Borromeo sued Bautista and Tan Ting in the Municipal Court of Mandaluyong to recover these expenses, alleging negligence. On the scheduled hearing on July 23, 1965, the petitioners and their counsel did not appear, leading to an ex parte judgment against them. The decision was executed and satisfied.

Upon receiving the decision on August 6, the petitioners moved to set aside the decision, which was denied. Their subsequent appeal was dismissed for belated payment of appellate fees. On October 26, they filed for relief from judgment in the Court of First Instance (CFI) of Rizal, alleging excusable negligence and a substantive defense. The CFI granted relief and ordered a new trial; however, respondents appealed the decision to the Supreme Court.

Issues:

1. Whether the petition for relief from judgment is appropriate and timely.
2. Whether there was excusable negligence on the part of the petitioners' counsel that would warrant relief.
3. Whether the petitioners have a meritorious defense to reverse the decision of the municipal court.

Court's Decision:

1. The petition for relief from judgment is inappropriate as the petitioners had the remedy of appeal, which they failed to timely pursue.
2. The negligence of the petitioners' attorneys was inexcusable, evidenced by the failure to properly manage their schedules and represent their client's interests.
3. On the merits of the case, even without a contractual relationship, Borromeo has the right, under the Workmen's Compensation Act, to be subrogated to the rights of its deceased employee and sue the responsible party, in this case, the petitioners.

Doctrine:

The Supreme Court reiterated the doctrine of subrogation under the Workmen's Compensation Act, where an employer who pays compensation to an injured employee or

their dependents is subrogated to the employee's right to recover from the person who caused the injury.

Class Notes:

- Rule 38 Relief from Judgment: A remedy available when a judgment becomes final by excusable negligence, with a requirement for a valid defense.
- Excusable Negligence: There must be a valid and justifiable reason for failure to take timely legal action.
- Doctrine of Subrogation: An employer who compensates an employee for work-related injuries is entitled to exercise the employee's rights against the third party responsible for the injury.

Historical Background:

The historical context of this case includes the application and understanding of negligence and subrogation within the Philippine legal framework, especially pertaining to vehicular accidents and the obligations of employers in providing compensation to their employees. The case elucidates procedural protocols for relief from judgment, while shaping jurisprudence concerning professional responsibility among lawyers, and the enforcement of employer recovery rights under the Workmen's Compensation Act.