

Title:

Barangay Dasmariñas vs. Creative Play Corner School, et al.

Facts:

The case began when Barangay Dasmariñas, through Barangay Captain Ma. Encarnacion R. Legaspi (Legaspi), filed a Complaint-Affidavit on June 28, 2004, against Creative Play Corner School (CPC) and its alleged owners (Respondents Dr. Amado J. Piamonte, Regina Piamonte Tambunting, Celine Concepcion Lebron, and Cecile Cuna Colina) for Falsification and Use of Falsified Documents. The petitioner alleged that the respondents falsified a Barangay Clearance and Official Receipt supposedly issued by the Office of the Barangay Captain of Dasmariñas Village, Makati City.

In their Counter-Affidavit, the respondents denied involvement and questioned the sufficiency of evidence regarding ownership of CPC and the identification of the perpetrators. On September 29, 2004, Assistant City Prosecutor Carolina Esguerra-Ochoa recommended the dismissal of the case due to a lack of probable cause, which was approved and released on November 4, 2004.

Dissatisfied, the petitioner brought the matter to the DOJ through a Petition for Review, arguing that Legaspi's first-hand knowledge of her signature and the supporting documents attached were enough grounds for probable cause. However, the DOJ, deeming the petition filed late and finding no error in the prosecutor's resolution, dismissed the Petition for Review on February 21, 2005. A Motion for Reconsideration was denied on April 25, 2005.

The petitioner then turned to the CA with a Petition for Review. They requested a 15-day extension (granted), then a subsequent 5-day request, but filed the petition late by mail on June 7, 2005. Due to the late filing, the CA denied the second extension motion and dismissed the Petition for Review per the Resolution dated July 21, 2005. A Motion for Reconsideration citing a "Final Motion for Additional Time" due to the sudden death in the lawyer's family was also denied by the CA in a Resolution on September 29, 2005.

Issues:

1. Whether the Court of Appeals erred in dismissing the Petition for Review on a technicality without considering its substantive grounds.
2. Whether the Court of Appeals erred in not considering the lack of prejudice to the respondents by the brief delay in filing the Petition for Review.
3. Whether the Court of Appeals erred in dismissing the Petition for Review despite the

existence of probable cause that would justify the filing of criminal cases against the respondents.

#### Court's Decision:

The Supreme Court denied the petition and affirmed the Resolutions of the Court of Appeals. The Court held that the CA was correct in denying the second extension motion and dismissing the Petition for Review as the rules of court explicitly limit further extensions. The high court agreed that petitioner's repeated disregard for procedural rules did not warrant a relaxation of such rules. The courts emphasized that procedural rules are to be followed except for the most compelling reasons. The filing of the petition and payment of docket fees before the CA resolution's receipt was irrelevant to the procedural breach. Moreover, the SC pointed out that a petition for review was an improper remedy for challenging the resolution of the Secretary of Justice, and a petition for certiorari under Rule 65 should have been employed instead.

#### Doctrine:

A significant doctrine reiterated by this case is that the rules of court should be followed, and extensions granted only for the most compelling reasons as reflected in Section 4, Rule 43 of the Rules of Court. Further, it emphasizes that courts shall not adjudge cases merely on a technicality but only apply relaxation of the rules for the most persuasive of reasons, considering the entire context of the case.

#### Class Notes:

- Importance of adhering to procedural rules.
- Rule 43 of the Rules of Court regarding the period for filing an appeal and the limits on extensions.
- Principle: Procedural rules can be relaxed, but "only for the most persuasive of reasons."
- Correct remedy for challenging the Secretary of Justice's adverse resolution is a petition for certiorari under Rule 65.

#### Historical Background:

This case exemplifies the ongoing tension between the rigid adherence to procedural norms and the judicial system's broader commitment to resolving cases on their merits. It underscores the judiciary's occasional willingness to enforce procedural discipline despite the potential merits of a substantive legal claim, reflecting an emphasis on the predictability and orderliness of legal proceedings.