

### Title: Marcelo R. Soriano v. Spouses Ricardo and Rosalina Galit

### Facts:

Ricardo Galit obtained a loan of P480,000.00 from Marcelo Soriano, secured by a real estate mortgage. Failing to satisfy the debt, Soriano filed a complaint, leading to Galit's default and a judgment favoring Soriano, allowing for property auction. Soriano, the highest bidder at P483,000.00, received a Certificate of Sale for a parcel of land and two constructions but later sought a writ of possession, controversially including an additional parcel of land not listed in the Certificate of Sale. This led the Galits to challenge the inclusion of the additional land in the Court of Appeals, which found in their favor, nullifying the writ of possession and the inclusion of the unlisted land. Soriano appealed to the Supreme Court.

### Issues:

1. Whether the special civil action of certiorari was the appropriate remedy for the Galits.
2. If the Certificate of Sale and subsequent writ of possession, including unlisted property, were valid.
3. Whether the inclusion of land under a separate title number, not explicitly mentioned in the Certificate of Sale, was permissible.

### Court's Decision:

The Supreme Court upheld the Court of Appeals' decision. It rejected Soriano's procedural challenge, emphasizing the need for rules of procedure to facilitate justice rather than hinder it. The Court found that the writ of possession was improperly issued for including land not specified in the Certificate of Sale, thus nullifying the writ. The justification that the land was implicitly included because the buildings stood upon it was dismissed, with the Court underlining the separability of land and buildings in such legal transactions.

### Doctrine:

The decision reiterates and applies several doctrines:

- The liberal construction of procedural rules to promote justice.
- A Certificate of Sale's content is exclusive and definitive regarding the properties sold at auction.
- Buildings can be mortgaged and sold independently from the land on which they stand.

### Class Notes:

- Civil Procedure: Procedural rules should be liberally construed to ensure justice. Technicalities should not prevent the resolution of cases on substantial grounds.

- Property Law: A building is considered immovable property but can be dealt with separately from the land in legal proceedings.
- Remedial Law: Certiorari under Rule 65 is an appropriate remedy when no other adequate means are available, and substantial justice is at risk due to procedural technicalities.

### Historical Background:

This case reflects the complex interplay between procedural rules and substantive rights in property law, emphasizing the courts' commitment to achieving just outcomes over strict procedural adherence. It highlights the potential for dispute in the execution of judgments involving real property and underscores the importance of precise legal documentation and adherence to statutory requirements in the sale of foreclosed properties.