

### Title: Deepak Kumar v. People of the Philippines

### Facts:

Deepak Kumar was found guilty by the Regional Trial Court (RTC) of Muntinlupa City for violating the Anti-Violence Against Women and Their Children Act of 2004 on charges involving harm against his wife. The judgment was promulgated on August 18, 2016, sentencing Kumar to prison terms and ordering him to pay various damages. Kumar was absent during the promulgation, but his counsel received a copy of the decision on August 23, 2016. No motions or pleas referencing this decision were ever made before the RTC, leading the decision to lapse into finality, and an entry of judgment was served on Kumar's counsel on September 8, 2016. Over a year later, on March 14, 2018, D Dimayacyac Law Firm filed an Entry of Appearance with a Notice of Appeal on Kumar's behalf. The RTC denied the Notice of Appeal since the decision had already become final. Kumar's subsequent Petition for Certiorari before the Court of Appeals, seeking to reverse the RTC's rulings, was also denied due to no grave abuse of discretion found on the part of the RTC judge. Kumar's Motion for Reconsideration was likewise denied. He then filed a Petition for Review on Certiorari before the Supreme Court under Rule 45 of the Rules of Court.

### Issues:

1. Whether the Court of Appeals erred in not finding grave abuse of discretion on the part of RTC Judge Philip A. Aguinaldo in refusing to entertain petitioner Deepak Kumar's Notice of Appeal.
2. Whether the Supreme Court should review a Rule 45 petition that does not readily demonstrate "special and important reasons" as required by its provisions.

### Court's Decision:

The Supreme Court denied due course to Kumar's petition, affirming the decision of the Court of Appeals. The court delineated that the petition lacked merit, failing to present considerations of significant consequence and value as mandated by Rule 45, Section 6 of the Rules of Court. It was emphasized that appeal is not a right but a statutory privilege that must comply with procedural requisites. Since no errors were found in the RTC's judgment process, and no compelling reasons were offered to justify the Supreme Court's review, the petition was dismissed.

### Doctrine:

Appeal by certiorari under Rule 45 of the Rules of Court is discretionary, not a matter of right, and will be granted only when there are special and important reasons. Questions

raised must not only be of pure questions of law but also of such substantial significance to warrant judicial review.

**### Class Notes:**

- Rule 45 of the Rules of Court stipulates conditions for petitions for review on certiorari concerning raising pure questions of law.
- Fundamental components of a valid appeal include timely filing, adherence to procedural requirements, and substantiation of significant legal questions.
- The doctrine established in this case reiterates the discretionary nature of review on certiorari by the Supreme Court, emphasizing the prerequisite of “special and important reasons” for appeal petitions to be considered.

**### Historical Background:**

This case exemplifies the procedural meticulousness upheld by the Philippine judicial system regarding appeals, particularly those appealing to the highest court of the land. It underscores the importance of following procedural rules and the discretion exercised by the Supreme Court in choosing cases that present novel legal issues or have significant implications for law and policy.