

Title: Spouses Ramon and Felicisima Dioso vs. Spouses Tomas and Leonora Cardeño

Facts:

This case involves a dispute over the right of way connected to Lot 248-A located in Sta. Rosa, Laguna, which was initially part of a larger lot owned by Magno Eraña. Upon his death, the lot was partitioned among his heirs, with a section eventually being owned by the respondents, Spouses Tomas and Leonora Eraña Cardeño, and another by Encarnacion Eraña Javel (later acquired by the petitioners, Spouses Ramon and Felicisima Dioso).

The petitioners sought a right of way to F. Gomez St., as per an alleged Pinanumpaang Salaysay (Sworn Statement) supposedly entered between Leonora Cardeño and Encarnacion Javel back in 1977, which granted such easement. However, when the respondents refused this, the petitioners filed a complaint for specific performance and/or easement of right of way with damages at the RTC of San Pedro, Laguna.

The RTC dismissed the petitioners' complaint, and the CA affirmed this decision, noting the petitioners failed to present the original document of the Pinanumpaang Salaysay or satisfactory secondary evidence of its contents. The petitioners moved for reconsideration/new trial citing newly discovered evidence, but this was denied by the CA.

Issues:

1. Whether the appellate court erred in denying the petitioners' motion for reconsideration/new trial.
2. Whether the respondents are obliged to grant the petitioners an easement of the right of way based on the Pinanumpaang Salaysay.

Court's Decision:

The Supreme Court reversed the CA's decision, granting the petition for review filed by the Spouses Dioso. It held the existence and due execution of the Pinanumpaang Salaysay were sufficiently proven by secondary evidence due to the unavailability of the original document.

1. On the issue of newly discovered evidence, the Supreme Court found that the documents submitted (Tax Declaration No. 51637, Yldeso's affidavit, and the Municipal Assessor's certification) could have been acquired with due diligence; hence, they do not qualify as newly discovered evidence. However, the Court addressed the issue of secondary evidence, stating the secondary evidence presented was admissible due to the established loss or unavailability of the original document.

2. On the obligation to grant an easement of right of way, the Supreme Court held that the respondents must provide the petitioners an easement of the right of way based on the Pinanumpaang Salaysay, as its existence and due execution were justified by secondary evidence and testimony.

Doctrine:

The court reiterated the principle governing the admissibility of secondary evidence in case of loss or unavailability of the original document, under Sections 3 and 5, Rule 130 of the Rules of Court. It emphasized that secondary evidence is admissible upon satisfactory proof of the document's execution or existence and the cause of its unavailability without bad faith on the offeror's part.

Class Notes:

- Secondary evidence is admissible when the original document has been lost or destroyed, or cannot be produced in court, provided its execution or existence and the cause of its unavailability without bad faith on the part of the offeror are satisfactorily proven.
- The elements to consider for granting an easement of the right of way include the existence of a prior agreement (like the Pinanumpaang Salaysay in this case) and the subsequent owners or successors-in-interest can enforce such rights based on proven agreements.

Historical Background:

This case highlights the importance of documentary evidence in resolving real property disputes and outlines the judicial approach toward the admissibility of secondary evidence under Philippine law. It underscores the court's role in ensuring fair adjudication based on the merits of evidence presented, especially when primary documents are unavailable.