

### Title: Republic of the Philippines vs. Alberto A. Domingo

### Facts:

Alberto A. Domingo entered into seven lease contracts from April to September 1992 with the Department of Public Works and Highways (DPWH), Region III, for his construction equipment. These contracts were for emergency projects to control the lahar flow from Mt. Pinatubo in Tarlac and Pampanga. After project completion, Domingo claimed unpaid rentals totaling P6,320,163.05 and filed a Complaint for Specific Performance with Damages against DPWH Region III in the Regional Trial Court (RTC) of Malolos, Bulacan, on April 26, 2002. Despite issuing summons, DPWH failed to respond, leading the RTC to declare it in default and later, granting Domingo's claims on February 18, 2003.

Following the RTC's decision, Domingo sought the execution of judgment, which was granted. The Republic, represented by the Office of the Solicitor General (OSG), sought annulment of this judgment at the Court of Appeals, arguing the Republic wasn't properly impleaded, and the trial court had no jurisdiction due to improper service of summons. The CA dismissed this petition, holding that service on the regional office was effectively service on the DPWH and the Republic. The Republic's subsequent appeal to the Supreme Court focused on the lack of proper summons service, essentially contesting the trial court's jurisdiction over the Republic.

### Issues:

1. Whether the Court of Appeals erred in dismissing the Petition for Annulment of Judgment.
2. Whether the RTC properly acquired jurisdiction over the Republic via service of summons on DPWH Region III.
3. Whether the summoning procedures were correctly adhered to in the context of lawsuits against the Republic.

### Court's Decision:

The Supreme Court granted the Republic's petition, reversing the decisions of the Court of Appeals and the RTC. It ruled that the proper service of summons when the Republic of the Philippines is the defendant is upon the Office of the Solicitor General (OSG) as mandated by Section 13, Rule 14 of the Rules of Court. The Court highlighted that the DPWH and its regional offices, being agents of the Republic, cannot be considered properly summoned parties when the Republic is the real party in interest. The summoning of the DPWH's regional office did not suffice to acquire jurisdiction over the Republic, rendering the RTC's proceedings and decision null and void.

### Doctrine:

When a lawsuit implicates the Republic of the Philippines, proper service of summons must be effected upon the Office of the Solicitor General. Failure to do so prevents the court from acquiring jurisdiction over the Republic, which in turn invalidates any proceeding and decision arising from such oversight.

### Class Notes:

- **\*\*Service of Summons to the Republic\*\***: Summons must be served through the Office of the Solicitor General to acquire jurisdiction over the Republic of the Philippines in a legal action.
- **\*\*Jurisdiction Over the Person\*\***: Acquired through proper service of summons.
- **\*\*Role of Indispensable Parties\*\***: The plaintiff is responsible for naming and impleading the proper defendant and ensuring legal procedures, such as service of summons, are correctly executed.
- **\*\*Rule 47, Rules of Court\*\***: Provides the basis for annulment of judgments or final orders by the Court of Appeals.
- **\*\*Doctrine of Nullity for Lack of Jurisdiction\*\***: A court's failure to acquire jurisdiction over the defendant renders the proceedings and subsequent decision null and void.

### Historical Background:

The backdrop of this case involves the aftermath of the Mt. Pinatubo eruption in 1992, which necessitated emergency projects to manage lahar flow, leading to contractual agreements between Mr. Domingo and the DPWH. This case highlights the procedural intricacies in lawsuits involving government entities and underscores the paramount importance of jurisdiction in the validity of judicial processes.