

### Title:

\*\*Republic of the Philippines vs. Resins Incorporated\*\*

### Facts:

- On October 17, 1991, Resins, Incorporated filed a Land Registration Case in Misamis Oriental seeking judicial confirmation of title over eight parcels of land.
- The initial hearing was set for February 4, 1992, but was later moved to April 30, 1992, after compliance with LRA recommendations.
- The Office of the Solicitor General (OSG) entered its appearance as counsel for the Republic on February 10, 1992.
- Notices of the initial hearing were published and served to relevant government departments and adjoining landowners.
- During the initial hearing on April 30, 1992, an Order of general default was issued except against opponents. Further hearings took place throughout 1992.
- On March 17, 1993, the RTC ruled in favor of Resins, Inc., decreeing registration of the lots in their name. However, typographical errors in the judgment led to amended judgments being issued on January 17, 1994, and March 16, 1994.
- The OSG received a copy of the Amended Judgment on May 2, 1994, and filed a notice of appeal on May 12, 1994.
- On July 7, 1999, the RTC ordered the issuance of a decree of registration in favor of Resins, Inc., dismissing the OSG's appeal due to late filing.
- The Republic filed a Motion for Reconsideration, arguing it was never furnished a copy of the original decision. The RTC denied this motion on May 28, 2003.

### Issues:

1. Whether the RTC of Misamis Oriental acted with grave abuse of discretion in dismissing the OSG's notice of appeal and in denying the motion for reconsideration due to purported non-receipt of the original judgment by the OSG.
2. Whether Resins, Inc. had a registrable title to the eight lots despite the Republic's claims of lack of legal basis.

### Court's Decision:

The Supreme Court granted the Republic's petition, reversing the decision of the CA and setting aside the RTC's orders. The Court held that Resins, Inc. failed to prove that the OSG had indeed received the original March 17, 1993, Judgment. The Court emphasized the importance of actual receipt of judgment for service by registered mail to be deemed complete, citing the Revised Rules of Court. The Supreme Court directed the RTC to hear

the appeal of the Republic in the land registration case.

**### Doctrine:**

The Supreme Court reiterated the doctrines related to the service of court decisions. Specifically, it clarified that service by registered mail is considered complete upon actual receipt by the addressee. The burden of proving the fact of service rests upon the party asserting its existence. Both the registry receipt and an affidavit of the person mailing must prove service made through registered mail. Absent these, there is no proof of service.

**### Class Notes:**

- **\*\*Service by Registered Mail\*\***: For service by registered mail to be considered valid, there must be proof of actual receipt by the addressee. This is proven through the registry receipt and an affidavit of the person who did the mailing.
- **\*\*Burden of Proof for Service\*\***: The burden of proving service rests on the party asserting its existence. Without proper documentation, including the original copies of the registry receipt or a certification from the postmaster, service by registered mail is not considered proven.
- **\*\*Rule on Receipt of Judgment for Appeals\*\***: The receipt of the court's judgment or decision is critical in determining the timeliness of an appeal. Failure to receive the judgment within the prescribed period can lead to the dismissal of an appeal as untimely.

**### Historical Background:**

This case highlights the procedural intricacies involved in land registration cases in the Philippines. It also underscores the critical role of effective service and receipt of court decisions and orders, which are fundamental in ensuring the right to due process and the timeliness of appeals in legal proceedings.