

### Title:

Limketkai Sons Milling, Inc. vs. Court of Appeals, Bank of the Philippine Islands, and National Book Store

### Facts:

Limketkai Sons Milling, Inc. (Petitioner) sought reconsideration of the Supreme Court's resolution dated March 29, 1996, which reversed its December 1, 1995 decision and affirmed the Court of Appeals' decision dated August 12, 1994. The petitioner argued for a referral to the Court En Banc, claiming modification or reversal of doctrines in previous cases. The contested issue stemmed from a disagreement on the admission of parol evidence to prove a contract of sale of real property, which the petitioner claimed was agreed verbally. At trial, objections were made against the admissibility of the affidavit attempting to prove the verbal agreement, but the trial court overruled the objections. The Court of Appeals found the trial court erred in admitting parol evidence over objections, emphasizing that objection to affidavit form testimony was made as early as the first hearing.

### Procedural Posture:

- The petitioner initially won the unanimous decision on December 1, 1995.
- Private respondents filed motions for reconsideration.
- The Third Division, with a new composition including Chief Justice Narvasa, reversed the December 1995 decision upon reconsideration on March 29, 1996.
- Petitioner filed for reconsideration of the March 1996 resolution, which was denied.

### Issues:

1. Whether the change in the composition of the Third Division of the Supreme Court warrants the reconsideration of its previous resolution.
2. Whether the objection to the presentation of parol evidence to prove the existence of a contract of sale was properly raised and whether it should have prevented the admission of such evidence.
3. Whether the case merits referral to the Court En Banc based on the assertion that certain doctrines have been modified or reversed.

### Court's Decision:

The Supreme Court denied the motion for reconsideration and the motion to refer the case to the Court En Banc with finality. The Court held that:

1. The reorganization within the Court's divisions, including the assumption of Chief Justice

Narvasa as the chair of the Third Division, was an internal matter and properly noted by the petitioner without objection. The change in composition did not obligate the Court to adhere to its previous decisions if re-examination warranted rectification.

2. The persistent objections by the counsels of the respondents to the admission of parol evidence were adequately made, given the circumstances that direct testimonies were presented in “affidavit-form.” The Court affirmed the principle that testimonies aiming to prove a verbal contract of sale of real property, in contradiction to the parol evidence rule, were rightly objected to.

3. The petition did not provide compelling reasons to change the Court’s stance or refer the case to the Court En Banc.

### ### Doctrine:

The resolution reinforced the parol evidence rule, stipulating that oral testimony cannot replace or contravene the contents of a written document. It highlighted the importance of timely objections to inadmissible evidence and validated the procedure wherein objections to affidavits presented as direct testimonies were appropriately raised.

### ### Class Notes:

1. **Parol Evidence Rule:** Oral evidence isn’t admissible to contradict, vary, add to, or subtract from the terms of a written agreement.

2. **Objecting to Evidence:** The necessity for timely and appropriately raised objections to evidence deemed inadmissible, especially in the context of affidavits presented as direct testimonies.

3. **Internal Organization of the Court:** Changes in the composition of the Court’s divisions do not inherently affect the validity or reconsideration of its decisions, emphasizing the Court’s autonomy in its internal organization.

### ### Historical Background:

This case underscores the procedural dynamics within the Philippine judicial system, particularly on the admission of evidence and the internal organization of the Supreme Court. It mirrors the judicature’s endeavor to balance procedural technicalities with substantive justice while navigating through changes within its ranks.