

### Title:

Engao Asis, et al. v. Heirs of Rosello Calignawan, et al.

### Facts:

The case involves a legal dispute over properties in Tacloban City, specifically Lot No. 581 and Lot No. 2064, that were originally registered under the names of Romana Engao and Angeles Engao-Calignawan.

1. Romana and her child, Felipe Engao, along with Angeles, held the properties. Romana's death led to Angeles inheriting three-fourths and Felipe one-fourth of the properties.
2. Rosello Calignawan, claiming to have been donated the properties by Angeles, found the original titles cancelled and new titles issued under the Felipe heirs - Evangeline, Erma, Felicitation, and Cesar Engao.
3. Rosello's discovery led to filing a Complaint for Declaration of Nullity of Documents, Partition and Damages against the Felipe heirs in the Regional Trial Court (RTC), Branch 9, Palo, Leyte.
4. The RTC trial involved complex arguments, including claims of forgery, validity of a Deed of Donation by Angeles in favor of Rosello, and the legal standing of documents that facilitated property transfer among the contested parties.

### Issues:

1. Whether Rosello Calignawan committed forum-shopping by filing separate complaints in different Regional Trial Courts.
2. Whether the Court of Appeals erred in prioritizing the decision of the RTC of Burauen over that of the RTC of Tacloban.
3. Whether respondents are barred from contesting the jurisdiction of the RTC in Tacloban City.
4. Whether the appellate court erred in admitting the belated filing of an appellant's brief by respondents.

### Court's Decision:

1. **Forum-shopping**: The Court found that while Rosello's actions constituted forum-shopping, raising this issue at the appellate level was too late. Active participation in the proceedings without objecting to jurisdiction constituted waiver.
2. **Jurisdictional Priority**: The Court upheld the appellate court's decision, emphasizing the principle of *res judicata* which rendered the decision of the RTC of Burauen final and binding.

3. **Jurisdiction Contestation**: The Court ruled that respondents cannot be barred from asserting jurisdictional arguments, especially given the finality of related decisions that directly impact the case.

4. **Admission of Belated Brief**: The Court found the appellate court's decision to admit the belated brief justified due to the circumstances, specifically noting the negligence of respondents' previous counsel and the importance of resolving the case on its merits.

#### ### Doctrine:

- The principle of *res judicata* was upheld, signifying that once a decision has become final and executory, it is binding and conclusive on the parties involved.
- Forum-shopping is prohibited and can be waived if not timely raised, emphasizing the importance of addressing procedural issues promptly.

#### ### Class Notes:

- **Forum-shopping**: Involves filing multiple cases based on the same facts and issues to seek favorable judgment, which is prohibited.
- **Res Judicata**: A matter that has been adjudicated by a competent court and therefore may not be pursued further by the same parties.
- **Jurisdiction and Venue**: Jurisdiction refers to the court's legal authority to hear and decide a case, while venue pertains to the most suitable location for the court proceeding.

#### ### Historical Background:

This case illustrates the complexities involved in property disputes, especially those involving allegations of forgery, the validity of donations, and the implications of *res judicata*. It highlights the judicial process from trial to the Supreme Court, emphasizing adherence to procedural norms and the principle of finality in judgments.