

**\*\*Title:\*\*** Bruno O. Aparri vs. The Court of Appeals and Land Authority (on Behalf of Remedios O. Fortich, Chairman, and Board Members of the Defunct NARRA)

**\*\*Facts:\*\***

On January 15, 1960, the Board of Directors of the defunct National Resettlement and Rehabilitation Administration (NARRA) resolved to appoint Bruno O. Aparri as General Manager, effective January 16, 1960. This decision was intended to be endorsed to the President of the Philippines for approval, as required by Republic Act No. 1160, which established NARRA.

However, on March 15, 1962, based on a desire expressed by the Office of the President, the same Board decided to end Aparri's term by March 31, 1962, thereby not extending his designation indefinitely. Aparri challenged this decision by filing a petition for mandamus with the then Court of First Instance of Manila on March 29, 1962, aiming to annul the board resolution that ended his term and claiming damages. While the case was pending, Republic Act No. 3844 (Agricultural Land Reform Code) took effect on August 8, 1963, abolishing the NARRA and transferring its functions to the Land Authority, rendering the case academic according to the trial court's decision on October 21, 1963.

Aparri's appeal to the Court of Appeals was dismissed, maintaining that his term's cessation was based on the board's power to define his term's length, which it eventually exercised. A subsequent petition for certiorari filed by Aparri to the Supreme Court followed the same fate.

**\*\*Issues:\*\***

The central legal issue was whether Board Resolution No. 24 (series of 1962), ending Aparri's term as General Manager by March 31, 1962, constituted an unlawful removal or dismissal without cause, or if it was a legitimate expiration of his term.

**\*\*Court's Decision:\*\***

The Supreme Court affirmed the decisions of the lower courts, holding that Aparri's cessation from office was not an unlawful removal but a legitimate expiration of his term. The Court highlighted that Aparri's initial appointment was incomplete without the President's approval, rendering him a de facto officer. The final resolution by the NARRA Board, approved by the President, validly fixed the term's expiration, thereby concluding his tenure legally on March 31, 1962. Thus, the Court found no merit in Aparri's claim of unlawful removal.

**\*\*Doctrine:\*\***

The case reinforces the doctrine that the right to hold a public office is determined by law and that appointment to an office includes both the power to appoint and the power to fix the term of office subject to statutory requirements. It also underlines that an office holder's term can legally expire based on the appointing authority's decision without constituting a removal, provided it aligns with legal standards and procedures.

**\*\*Class Notes:\*\***

1. Public Office: Defined by law, subject to statutory provisions regarding appointment, tenure, and dismissal.
2. Appointment and Term: An office holder's appointment and term are subject to the appointing authority's determination and statutory or regulatory approval processes.
3. De Facto Officers: Individuals acting in an official capacity under a color of right or appointment but without full legal authority due to some defect in their appointment or eligibility.
4. Expiration of Term vs. Removal: Distinguishing between the lawful end of an office term set by the appointing authority and removal for cause prior to term expiration.
5. Role of Judiciary: The Court does not interpret laws or terms of office holder appointments when the statutory language is clear and unambiguous.

**\*\*Historical Background:\*\***

This case highlights the interplay between statutory law and executive discretion in the appointment and tenure of public officials in the Philippines, specifically within the context of administrative reforms and the dissolution of governmental bodies. The transition from the National Resettlement and Rehabilitation Administration (NARRA) to the Land Authority reflects broader shifts in land reform and governmental restructuring policies during the 1960s, underscoring the legal and bureaucratic challenges in the evolving landscape of Philippine public administration.