

****Title:****

Heirs of Arturo Garcia I (in substitution of Heirs of Melecio Bueno) vs. Municipality of Iba, Zambales (764 Phil. 408)

****Facts:****

1. ****Background:**** Melecio R. Bueno, a tenant-farmer beneficiary, owned agricultural land in Poblacion, Iba, Zambales.
2. ****Ejectment Suit:**** On October 18, 1999, Bueno filed an ejectment suit in the Municipal Trial Court (MTC) of Iba, Zambales against the Municipality of Iba. He claimed that in 1983, the Municipality built a public market on a significant portion of his land without his consent, ignoring his repeated demands to vacate the property.
3. ****MTC Ruling:**** The MTC ruled in favor of Bueno, ordering the Municipality of Iba to vacate the property.
4. ****Appeal Attempt:**** The Municipality of Iba filed a notice of appeal, but the MTC denied it due course.
5. ****Petition for Certiorari:**** The Municipality then filed a petition for certiorari in the Regional Trial Court (RTC) of Iba, challenging the MTC's refusal to give due course to their appeal. The case was assigned to Branch 69.
6. ****RTC Decision:**** The RTC granted the Municipality's petition for certiorari.
7. ****Substitution of Parties:**** During the proceedings, Bueno passed away, and his heirs substituted him as petitioners.
8. ****Motion for Reconsideration:**** The petitioners (heirs) filed a motion for reconsideration of the RTC's decision, which was denied.
9. ****Appeal to CA:**** The petitioners then filed a petition for review under Rule 42 with the Court of Appeals (CA).
10. ****CA Dismissal:**** On October 28, 2003, the CA dismissed the petition for review, stating it was the wrong mode of appeal. The RTC's decision was made in its original jurisdiction, which required an ordinary appeal under Rule 41, not a petition for review under Rule 42.
11. ****Motion for Reconsideration:**** The petitioners' motion for reconsideration was denied by the CA on February 10, 2004.

****Issues:****

1. ****Correct Mode of Appeal:**** Whether the petitioners used the correct mode of appeal in challenging the decision of the RTC in the special civil action for certiorari.
2. ****Substantial Compliance:**** Whether the petitioners' filing of a petition for review under Rule 42 constituted substantial compliance sufficient to warrant consideration under the correct procedural rules by the CA.

3. **Application of Procedural Rules:** Whether strict adherence to procedural rules should be relaxed in the interest of substantial justice.

Court's Decision:

1. **Correct Mode of Appeal:** The Supreme Court held that the petitioners used the incorrect mode of appeal. An ordinary appeal under Rule 41 of the Rules of Court was the proper mode since the RTC's decision was made in its original jurisdiction. The appeal should have been perfected by filing a notice of appeal in the RTC within 15 days and paying the required docket fees.

2. **Lack of Substantial Compliance:** The Supreme Court found that filing a petition for review under Rule 42 was not substantial compliance with Rule 41. Compliance with the correct rules of procedure is mandatory and jurisdictional. The Supreme Court emphasized that the distinctions between various modes of appeal are crucial and cannot be disregarded.

3. **Strict Application of Procedural Rules:** The Court denied the plea for liberality in the application of procedural rules. The Supreme Court reiterated that appeal is a statutory privilege, not a right, and the petitioners failed to provide compelling reasons to justify relaxing the procedural rules.

Doctrine:

1. **Mandatory Procedural Compliance:** The distinct modes of appeal specified in Section 2, Rule 41 of the Rules of Court are mandatory and jurisdictional. Failure to comply with the prescribed procedure is fatal to the appeal.

Class Notes:

1. **Mode of Appeal:**

- **Ordinary Appeal (Rule 41):** For cases where RTC exercises original jurisdiction.
- **Petition for Review (Rule 42):** For cases where RTC exercises appellate jurisdiction.
- **Appeal by Certiorari (Rule 45):** To the Supreme Court on purely legal questions.

2. **Procedural Requirements:**

- Notice of appeal filed within 15 days from the judgment.
- Payment of appellate docket fees within the same period.

3. **Statutory References:**

- **Section 2, Rule 41, Rules of Court:** Detailed modes of appeal.
- **Section 3, Rule 41:** Period for ordinary appeal.

- **Section 4, Rule 41:** Payment of appellate docket fees.

4. **Jurisdictional Compliance:** Compliance with procedural rules is both mandatory and jurisdictional, ensuring orderly administration of justice.

Historical Background:

The case reflects the judiciary's adherence to strict procedural rules established in the 1997 revisions of the Rules of Court. This case emphasizes the importance of proper procedural strategy in judicial appeals, highlighting the balance between procedural rigor and substantial justice in the Philippine legal system.