

Title: Jessica P. Maitim (A.K.A. “Jean Garcia”) vs. Maria Theresa P. Aguila

Facts:

- **Incident:** On April 25, 2006, Jessica Maitim was in her vehicle driven by Restituto Santos within the common driveway of Grand Pacific Manor Townhouse. Angela Aserehet P. Aguila, the six-year-old daughter of Maria Theresa P. Aguila, was sideswiped by Maitim’s vehicle and dragged for about three meters. Angela suffered serious injuries, including a complete fracture of her right leg.
- **Post-Incident:** Maitim and Santos did not immediately take Angela to the hospital. She was later brought to St. Luke’s Medical Center and underwent surgery at Asian Hospital. Angela was confined to a wheelchair from April 25 to July 18, 2006.
- **Conciliation and Demand:** The matter was brought before the barangay for conciliation, but only Aguila appeared. Aguila incurred P169,187.32 in medical expenses and sent demand letters to Maitim and Santos, which were disregarded.
- **Filed Case:** Aguila filed an action for damages based on quasi-delict before the Regional Trial Court (RTC).

Procedural Posture:

- **RTC Decision:** The RTC ruled in favor of Aguila, holding Santos accountable under the doctrine of *res ipsa loquitur* and Maitim vicariously liable for failing to prove due diligence in selecting and supervising Santos. Actual damages of P169,187.32, moral damages of P20,000, and attorney’s fees of P25,000 were awarded.
- **Appeal to CA:** Maitim’s appeal to the Court of Appeals was denied, affirming the RTC’s ruling in toto, stating that there was no contributory negligence by Aguila or Angela. Maitim’s assertion of vigilance was unsubstantiated.
- **Motion for Reconsideration:** Maitim’s motion for reconsideration was denied by the CA.
- **Supreme Court Petition:** Maitim sought review from the Supreme Court under Rule 45.

Issues:

1. Whether the Court of Appeals erred in affirming the RTC’s decision that Restituto Santos was negligent and Maitim was vicariously liable.
2. Whether there was contributory negligence on the part of Maria Theresa P. Aguila and her daughter, Angela.

Court’s Decision:

- **Res Ipsa Loquitur:** The Supreme Court upheld the application of the doctrine of *res*

ipsa loquitur by the lower courts. This doctrine infers negligence on the part of the person controlling the instrument causing the injury when such accidents typically do not happen without negligence.

- **Negligence of Santos:** The Court concluded that the dragging and severe injury of Angela by Maitim's slow-moving vehicle, driven by Santos, indicated a failure to exercise due care. The burden of proof to disprove negligence fell on Santos, which was not met.

- **Vicarious Liability of Maitim:** The Court found that Maitim did not provide concrete evidence of due diligence in the selection and supervision of Santos, relying on bare assertions without substantiating documents. Thus, Maitim was vicariously liable under Article 2180 of the Civil Code.

- **Contributory Negligence:** The Court dismissed assertions of contributory negligence by Aguila, emphasizing the expectations of safety within the residential premises and the rule that children under nine are conclusively presumed incapable of contributory negligence.

Doctrine:

1. **Res Ipsa Loquitur:** Establishes that in cases where an accident typically indicates negligence, the burden shifts to the defendant to prove there was no negligent behavior.
2. **Vicarious Liability (Article 2180 of the Civil Code):** Employers are presumed negligent in the selection and supervision of employees unless they provide concrete proof of due diligence.

Class Notes:

- **Res Ipsa Loquitur:** Simplifies proving negligence by inferring it from the mere occurrence of an accident.
- **Vicarious Liability:** Holds employers directly accountable for their employees' negligent acts performed within the scope of employment.
- **Contributory Negligence Presumption:** Children under nine years cannot be held contributorily negligent.

Historical Background:

This case underscores the jurisprudential evolution in the application of res ipsa loquitur and vicarious liability in vehicular accidents within residential premises, reaffirming protections for children's safety and setting high standards for employers' diligence in staff supervision.