

Title:

****Paz Mandin-Trotin vs. Francisco A. Bongo, Sabina Bongo-Buntag, and Artemia Bongo-Liquit****

Facts:

The controversy involves a parcel of land known as Lot No. 3982, located in Panglao, Bohol, with an area of 32,668 square meters, covered by Original Certificate of Title (OCT) No. 64051 registered to Candido Bongo on November 27, 1990. Candido Bongo was the husband and father of the respondents, and brother of Diosdado Bongo, the father of the plaintiff-appellants.

- ****1929****: Diosdado Bongo allegedly purchased the land from Ancelma Bongcas and took possession, cultivating it with Candido's help.
- ****Candido marries Irene Arbulo****: Diosdado allowed Candido to build a house on the land and till it while sharing the produce.
- ****Death of Diosdado****: Candido continued sharing harvests until the plaintiffs discovered in 1997 that Candido obtained a free patent and registered the land under his name in 1990.
- ****September 5, 1997****: Adverse claim was filed by the heirs of Diosdado.
- ****March 10, 1999****: The heirs filed for annulment of title, recovery of ownership, and damages against Candido, claiming fraudulent application for a free patent.

Candido's heirs contended that he applied in good faith, having occupied the land as an owner since returning from the US in 1956. They argued that the Escritura de Venta was invalid as it was not registered.

- ****March 14, 2000****: Paz Mandin-Trotin filed an Urgent Motion for Intervention, citing a Deed of Conditional Sale (DCS) executed in her favor by Francisco, Sabina, and Artemia Bongo over a 1-hectare portion of Lot No. 3982. Upon learning of the adverse claim, she suspended payments to protect her interest.

Procedural Posture:

- ****RTC Ruling (February 28, 2011)****:
 - Dismissed the complaint for lack of cause, citing the issuance of a free patent over Lot No. 3982 as indefeasible after one year.
 - Ruled that the Escritura de Venta was invalid against third parties as it wasn't registered.
 - Left the matter of Trotin's claim unresolved.
- ****CA Decision (April 10, 2014)****:

- Affirmed the RTC decision, doubting the heirs' claim owing to discrepancies in document areas and the prolonged period without action by Diosdado or his heirs.
- Dismissed Trotin's claim since she failed to pay the full DCS amount timely, nullifying the contract.
- **SC Petition**: Paz Mandin-Trotin appealed to the Supreme Court claiming the CA erred in its findings concerning the DCS.

Issues:

1. Whether the RTC erred by deferring the settlement of Trotin's claim with the respondents.
2. Whether the CA erred in ruling that failure to pay the installment within the stipulated period nullified the DCS.

Court's Decision:

1. **RTC Decision**:

- RTC's non-decision on Trotin's claim became irrelevant as CA addressed it on merit, affirming RTC's decision.

2. **CA Decision**:

- DCS was ruled as a contract to sell, hence the failure to pay the balance within the agreed period voided the contract.
- Trotin's introduction of new evidence (affidavit and supplementary agreements) was disallowed since factual questions can't be raised in a Rule 45 petition, and new evidence should have been presented during the trial.

- **Supreme Court Ruling**: Affirmed CA's decision, holding that the DCS became null and void due to non-payment, and Trotin must vacate the land.

Doctrine:

1. **Indefeasibility of Torrens Title**: A title issued through a free patent becomes indefeasible upon the expiration of one year.
2. **Contract to Sell vs. Contract of Sale**: In a contract to sell, the seller retains ownership until full payment, making the buyer's failure to pay a positive suspensive condition that nullifies the contract.

Class Notes:

- **Elements of Free Patent Application**: Must establish the bona fide nature of land

occupation and proper registration.

- ****Impact of Unregistered Land Sales****: Escritura de Venta or other documents not recorded in the Registry do not affect third-party rights.
- ****Conditions within Conditional Sales****: For a contract to sell, ownership transfer is contingent on complete payment.
- ****Legal Finality of Court Decisions****: Absence of new evidence or failure to meet exception criteria precludes factual reconsideration on appeal.

Historical Background:

The case underscores property disputes, particularly the application of free patent laws and Torrens system in the Philippines, reflecting the complexity of land registration and ownership issues often rooted in familial and historical contexts. The case also highlights procedural intricacies in pursuing judicial remedies, showcasing procedural bar doctrines, and the rigidity of timelines in legal claims.