

**\*\*Title:\*\***

Duremdes vs. Jorilla et al., G.R. No. 232961

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

\*On August 27, 2009\*, respondents filed a Complaint for Collection of Sum of Money plus Damages against Kenneth Duremdes and Emerflor B. Manginsay, Jr., asserting payments made to Vitamins & Cebu Artists International, Inc. (VCAII) under false pretenses of illegal recruitment. The case was docketed as Civil Case No. Q-09-65496.

\*On March 20, 2014\*, the RTC declared Duremdes and Manginsay in default for not filing any responsive pleadings despite summons served by publication. The RTC ruled in favor of the respondents, granting actual and moral damages.

\*On May 22, 2014\*, Duremdes filed a Petition for Relief from Judgment citing extrinsic fraud due to an erroneous address provided by respondents preventing him from receiving proper summons. He argued non-compliance with Section 1(a), Rule 111 of the Rules of Court, resulting in the RTC lacking jurisdiction over his person.

\*On July 21, 2016\*, the RTC denied Duremdes's petition, affirming its earlier decision and called for a writ of execution.

\*Subsequently\*, Duremdes's Motion for Reconsideration was also denied on April 12, 2017.

\*On July 17, 2017\*, Duremdes filed a Petition for Certiorari with the CA, which was dismissed on July 25, 2017, due to procedural defects and failure to appeal properly. His Motion for Reconsideration was likewise denied on September 26, 2017.

\*Duremdes then petitioned the Supreme Court\* for review, challenging the CA's dismissal and arguing for substantial compliance with procedural requirements.

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

1. Whether the CA erred in dismissing the petition for certiorari based on procedural grounds.
2. Whether the grounds cited for filing the petition for relief were valid under Rule 38 of the Rules of Court.
3. Whether the extrinsic fraud alleged by the petitioner suffices to challenge the RTC's jurisdiction and its subsequent decisions.

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

**\*\*Substantial Compliance with Procedural Requirements:\*\***

The Supreme Court held that the CA should have considered the substantial compliance doctrine, which allows relaxation of procedural rules in cases where technicalities would impede justice. The attachments later provided during the Motion for Reconsideration before the CA were deemed sufficient compliance.

**\*\*Validity of Grounds for Petition for Relief:\*\***

The Court elucidated that petitions for relief under Rule 38 are allowed when a judgment is rendered through extrinsic fraud preventing a fair opportunity to present one's case. The alleged fraudulent misdelivery of summons fulfilled this criterion as it effectively nullified the RTC's jurisdiction over the petitioner.

**\*\*Examination of Jurisdiction upon Allegation of Extrinsic Fraud:\*\***

The Court underscored the principle that a judgment rendered without proper jurisdiction is void ab initio and can be attacked at any time. Hence, the CA should not have dismissed the petition on procedural technicalities without examining the merits of the fraud allegations.

The Decision was partially granted, reversing and setting aside the CA's resolutions and remanding the case to the CA for a substantive determination of the petitioner's certiorari plea.

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

1. Substantial Compliance Doctrine - Procedural rules may be relaxed to promote justice, especially where subsequent submissions fulfill the required procedural mandates.
2. Jurisdiction Over Person in In Personam Actions - Valid service of summons is crucial for jurisdiction; absence or defect thereof renders decisions void.
3. Extrinsic Fraud in Service of Summons - Such fraud justifies relief from judgment as it precludes proper participation in court proceedings, potentially voiding judgments.

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

**\*\*Substantial Compliance Doctrine:\*\*** Follow the ruling that subsequent and substantial compliance can relax procedural demands to uphold justice.

**\*\*Rule of Summons and Jurisdiction:\*\*** Personal service and substituted service guidelines under Rules of Court are critical in securing jurisdiction over defendants.

**\*\*Section 3, Rule 38:\*\*** Timeframe for filing petition for relief and its grounds for excusable negligence, mistake, or fraud.

**\*\*Annulment of Void Judgments:\*\*** Leveraging Sections 2 and 3, Rule 47 about lack of

jurisdiction or extrinsic fraud for annulling judgments at any time before barred by laches or estoppel.

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

The case revolves around procedural adherence in a civil litigation system emphasizing technical rule compliance vis-a-vis substantive justice objectives. The Philippine judiciary aims to balance rigid procedural enforcement with equitable relief measures, particularly in the context of service of summons and jurisdiction in civil cases, reflecting evolving judicial attitudes towards procedural versus substantive justice.