

****Title**:** ****Rizal Commercial Banking Corporation vs. F. Franco Transport, Inc.****

****Facts**:**

F. Franco Transport, Inc. (respondent) procured loans from Rizal Commercial Banking Corporation (RCBC, petitioner) totaling P32,157,500.00, secured by a real estate mortgage. Upon default, RCBC proceeded with extrajudicial foreclosure and acquired the property after respondent failed to redeem it. RCBC petitioned for a writ of possession, granted on August 7, 2001 by the Regional Trial Court (RTC) of Manila (Branch 4, presided by Hon. Socorro B. Inting). Respondent failed to reconsider and was issued the writ on October 25, 2001.

On November 12, 2001, respondent filed a “Very Urgent Motion to Quash Writ of Execution,” pending settlement talks, and requested a 120-day extension to vacate. The RTC suspended the writ’s execution on November 14, 2001. After the 120-day request’s expiration, the RTC declared the motion moot. Respondent’s motion for reconsideration was denied on July 1, 2002. Respondent then filed petitions for certiorari and prohibition in the Court of Appeals (CA) and Supreme Court (SC), both denied.

In May 2005, RCBC requested another alias writ of possession, granted in February 2006. Respondent’s subsequent motions against this were denied. Respondent appealed the 26 February 2007 denial to recall the alias writ, which the RTC declined. Respondent’s appeal to the CA was successful, stating RTC overstepped as it should be handled by the CA. RCBC petitioned for review on certiorari, leading to the present case at the Supreme Court.

****Issues**:**

1. Did the CA err in ordering the RTC to allow the respondent’s notice of appeal?
2. Can the RTC dismiss an appeal on grounds other than procedural lapses?
3. Should the SC entertain the appeal considering the significant delay in the foreclosure proceedings?

****Court’s Decision**:**

The Supreme Court granted RCBC’s petition for review on certiorari, overturning the CA’s decision and upholding the RTC’s dismissal.

1. ****Appeal Procedures and RTC Jurisdiction**:** The SC confirmed the CA’s stance that only the CA determines an appeal’s substance and not the RTC; the RTC can solely dismiss on

procedural non-compliances (e.g., late filing or non-payment of fees). However, SC highlighted that allowing the appeal would unreasonably delay justice.

2. **Interlocutory Orders**: The SC emphasized the appeal was inappropriate because it was against an interlocutory order (February 26, 2007 order addressing an alias writ of possession). Interlocutory orders aren't typically appealable, aligning with Section 1, Rule 41 of the Rules of Court.

3. **Finality and Efficiency in Judicial Process**: Given the protracted litigation timeline and prior resolutions affirming the RTC's implementation of the writ of possession, SC concluded further delaying possession enforcement was unjust. The SC's previous rulings supported RCBC's possession rights, solidifying the alias writ's legitimacy.

Doctrine:

1. **Jurisdiction Over Appeals**: The trial court (RTC) cannot dismiss appeals based on anything other than procedural defects; the appellate court (CA) primarily handles substantive determinations.

2. **Interlocutory Orders**: Non-final judgments or orders not fully resolving a case aren't typically appealable but rather challengeable through special civil actions like those under Rule 65 (certiorari and prohibition).

3. **Finality and Efficiency**: The SC may take direct cognizance of cases bypassing remand to prevent judicial delays, ensuring timely justice especially when prior resolutions suffer from excessive delay or reiteration.

Class Notes:

1. **Key Elements**:

- **Interlocutory vs. Final Orders**: Recognizing which court actions are appealable.
- **Authority of Courts**: Understanding limits of RTC's role in appeal dismissals.
- **Judicial Efficiency**: Principles guiding higher courts to forego certain procedural remands for substantive resolution.

2. **Statutory Provisions**:

- **Rule 41, Section 1, Rules of Court**: Defines appealable judgments and non-appealable interlocutory orders.
- **Rule 50, Section 1, Rules of Court**: Appellate court's grounds for dismissing appeals.

****Historical Background:****

This case unfolded during a period highlighting the Philippine judiciary's efforts to balance due process rights with efficient case resolution. The SC's intervention reflects broader shifts toward minimizing procedural technicalities detrimental to justice delivery, emphasizing prompt enforcement of legitimate property rights amidst systemic delays.