

**\*\*Title:\*\*** Metro Manila Transit Corporation vs. Sabalburo

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

On the afternoon of December 24, 1986, Florentina Sabalburo, Maria Zenaida Baylon, and her daughter were at the intersection of St. Andrews Street and Domestic Road on their way to Baclaran. As the light turned red, they started to cross the street. However, Florentina was hit by an MMTC bus driven by Apolinario Ajoc, which was reportedly moving at high speed. The collision caused severe injuries leading to her unconsciousness, and subsequently, her death on January 3, 1987.

The deceased's family filed a civil suit against MMTC and Ajoc in the Regional Trial Court of Makati, alleging reckless driving and negligence. The defendants countered, suggesting Florentina had acted negligently by crossing unexpectedly. MMTC's defense centered on its claimed diligence in employing qualified drivers and maintaining vehicles.

The trial court ruled in favor of the plaintiffs, awarding damages for actual expenses, loss of earning capacity, moral and exemplary damages, and attorney's fees, citing Ajoc's negligence as the proximate cause of the incident. MMTC was held jointly liable with the driver, owing to a failure to demonstrate due caution in the selection and supervision of its employee.

MMTC and Ajoc appealed to the Court of Appeals, reiterating that the victim was negligent. The appeals court, however, upheld the trial court's decision, finding no error in its judgment.

Subsequently, MMTC and Ajoc sought relief from the Supreme Court, questioning the application of certain Civil Code articles.

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

1. Was Article 2179 of the Civil Code, concerning contributory negligence, appropriately applied in this case?
2. Did MMTC exercise due diligence in the selection and supervision of its employee to avoid vicarious liability?

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

1. **\*\*Article 2179 Application:\*\*** The Supreme Court ruled that Article 2179 of the Civil Code, regarding contributory negligence, was not applicable. The findings of the trial and appellate courts were conclusive in affirming Ajoc's reckless driving as the proximate cause

of the accident. The Court reiterated its inability to re-examine factual determinations without compelling errors or contradictions in the lower courts' rulings. Ajoc's failure to notice the pedestrian crossing despite a red signal indicated a lack of due caution and diligence, solidifying his negligence as the root cause.

2. **MMTC's Vicarious Liability:** The Supreme Court affirmed MMTC's liability under Article 2180 of the Civil Code, as MMTC failed to provide evidence of exercising appropriate diligence in employee supervision to prevent such negligence. The Court dismissed the contention that post-accident conduct demonstrated supervisory diligence, maintaining that MMTC did not sufficiently prove Ajoc's adherence to its purported safety regulations and training.

**Doctrine:**

1. **Negligence as a Question of Fact:** The Court emphasized that findings of negligence require concrete factual determination by trial courts and are typically binding in higher courts unless shown otherwise.
2. **Employer's Vicarious Liability:** Employers are presumed liable for employees' negligent acts performed within the scope of their employment unless they can compellingly demonstrate having exercised due diligence in selection and supervision.

**Class Notes:**

- **Quasi-Delicts (Civil Code, Article 2176):** The basis for liability for acts resulting in damage, without a prior contractual relationship.
- **Employer Liability (Civil Code, Article 2180):** Establishes that employers are liable for their employees' actions, stressing the presumption of employer negligence unless adequately rebutted.
- **Contributory Negligence (Civil Code, Article 2179):** Only applicable when the victim's negligence contributes to the injury but is not the proximate cause.

**Historical Background:**

This case is emblematic of a period in Philippine legal history when public utility vehicle accidents were prevalent, thereby stressing the need for heightened standards of diligence and accountability within transport services. The adjudication highlights judicial mechanisms employed to attribute responsibility in cases with significant socio-economic repercussions, underlining the State's commitment to public welfare even through state-owned enterprises.