

Title: Madarang and Bartolome v. Spouses Morales

Facts:

1. **Initial Complaint**:

- **January 9, 2001**: Spouses Jesus and Carolina Morales filed a complaint for judicial foreclosure of a house and lot in Bago Bantay, Quezon City, against Juliet Vitug Madarang and others (defendants, including Rodolfo, Ruby Anne, and Romeo Bartolome).

- **Allegation**: Spouses Morales claimed that Nicanor and Luciana Bartolome borrowed P500,000 from them on March 23, 1993, with an agreement to pay within two months, with an interest rate of 5% per month. The loan was secured by a mortgage over the Bago Bantay house and lot.

2. **Defense**:

- Defendants questioned the authenticity of the mortgage deed's signatures and argued that the complaint was barred as it had been dismissed in another RTC branch due to non-compliance with an order.

3. **Trial Court's Decision**:

- **December 22, 2009**: RTC Quezon City found in favor of Spouses Morales, ordering the defendants to pay P500,000 with 7% monthly interest and costs within 90 to 120 days or face foreclosure.

4. **Post-Trial Proceedings**:

- **January 29, 2010**: Defendants received the decision.

- **February 8, 2010**: Defendants filed a motion for reconsideration and requested a PNP handwriting expert to verify signatures.

- **May 25, 2010**: RTC denied the motion and request, declaring them pro forma as the defendants failed to specify any unsupported findings or conclusions in the decision.

- **June 24, 2010**: Defendants were notified of the denial order.

5. **Notice of Appeal**:

- **August 11, 2010**: Defendants filed a notice of appeal.

- **August 13, 2010**: RTC denied it as untimely, noting the deadline was July 9, 2010 (15 days after June 24, 2010 notification).

6. **Petition for Relief**:

- **September 24, 2010**: Defendants filed a petition for relief from judgment, citing their 80-year-old counsel's negligence.

- **April 27, 2011**: RTC dismissed the petition as it was filed beyond the 60-day window post-finality.

7. **Appeal to Court of Appeals**:

- **July 13, 2011**: Petitioners filed a petition for certiorari with the CA.
- **July 27, 2011**: CA dismissed the petition for lacking a prior motion for reconsideration.
- **Motion for Reconsideration**: Denied by CA on November 10, 2011.

8. **Supreme Court**:

- **Petition**: Petitioners sought review, contending errors in the trial court and arguing excusable negligence of their counsel.
- **Question of Law**: Claimed that questions raised were purely questions of law, not requiring a motion for reconsideration.

Issues:

1. Whether the failure of petitioners' counsel to file the notice of appeal within the reglementary period constitutes excusable negligence.
2. Whether the Court of Appeals erred in dismissing the petitioners' petition for certiorari for not filing a motion for reconsideration of the order denying their petition for relief from judgment.

Court's Decision:

1. **On Excusable Negligence**:

- **Petitioners' Argument**: The negligence was excusable due to the counsel's age (80 years).
- **Ruling**: The Supreme Court held that ordinary diligence and prudence could have prevented the counsel's negligence. The mere age of the lawyer is not sufficient to constitute excusable negligence. There was no gross negligence that could excuse the oversight.

2. **On Petition for Relief Filing Period**:

- **Interpretation of Rule 38, Section 3**: The petition must be filed within 60 days of learning of the judgment and within six months of entry.
- **Court's Analysis**: The petitioners filed beyond these mandatory periods, thus the RTC properly denied the petition for relief.

3. **On Certiorari and Motion for Reconsideration**:

- **Section 1, Rule 65**: Requires availability of no other plain, speedy, and adequate

remedy.

- **Petitioners' Failure**: The Court affirmed the CA's dismissal since no motion for reconsideration of the denial of the petition for relief from judgment was filed. This motion is the appropriate remedy before a certiorari petition.

Doctrine:

1. **Petition for Relief from Judgment Timelines (Rule 38)**: Must be filed within 60 days from knowledge of judgment or order and not later than six months from entry/main order.
2. **Excusable Negligence**: To constitute excusable negligence, there must be proof that the negligence was gross enough that ordinary prudence could not have prevented it. Age alone is not a justification.
3. **Requirement of Motion for Reconsideration (Rule 65)**: Before filing a certiorari petition, a motion for reconsideration is generally required to allow lower courts an opportunity to correct their errors.

Class Notes:

- **Rule 38, Section 3**: Double period requirement for petitions for relief from judgment.
- **Rule 65, Section 1**: Necessity of filing a motion for reconsideration before filing certiorari.
- **Excusable Negligence**: Legal representation mistakes must be beyond the party's control through ordinary diligence.

Historical Background:

- **Equitable Relief**: The case is significant in the realm of equitable remedies, emphasizing the strict compliance required under the Rules of Court for timelines and procedural prerequisites.
- **Age Discrimination in Legal Standards**: The decision addresses prejudices regarding age, reinforcing the competence and fairness required in legal evaluations.
- **Immutability of Final Judgments**: This case underscores the crucial doctrine that judgments, once final, must be protected from continuous litigation except under strict grounds and timely manner.

This case serves as a key reference for law students and practitioners in understanding the procedural intricacies and the standards governing equitable relief and the finality of judgments.