

Title: Pallada et al. v. Regional Trial Court of Kalibo, Aklan, et al., G.R. No. 126112, November 18, 1996

Facts:

On September 29, 1976, the respondents filed Civil Case No. 2519 in the Regional Trial Court (RTC) of Kalibo, Aklan, seeking recovery of possession and ownership of a parcel of land. The RTC declared the defendants (petitioners in this case) as the lawful owners and possessors of the land on January 31, 1991.

Private respondents appealed to the Court of Appeals (CA), which reversed the RTC's decision, declaring the appellants as the rightful owners and ordering the respondents to return the land and pay for its produce. Petitioners' motion for reconsideration was denied, prompting a petition for review with the Supreme Court in G.R. No. 126112, which was subsequently dismissed on November 18, 1996. This dismissal became final on January 22, 1997.

The respondents filed an ex parte motion for execution on May 13, 1997. On June 2, 1997, the RTC issued a Writ of Execution which was partially satisfied. Petitioners then filed a petition for certiorari, prohibition, and injunction before the Supreme Court challenging the validity of the writ of execution issued without notice to the petitioners.

Issues:

1. Whether petitioners are bound by the negligence of their counsel who left the country without informing them about the status of their case.
2. Whether the Writ of Execution is invalid because it was granted on an ex parte motion without notice to the petitioners.
3. Whether the petitioners' case has merit despite procedural lapses.

Court's Decision:

1. **Negligence of Counsel**:

The Supreme Court ruled that the negligence of counsel binds the client. The court emphasized that litigants have the duty to keep in touch with their counsel regarding the status of their case. The petitioners failed to provide evidence that they were unaware of their lawyer's departure abroad. Even if their lawyer was negligent, the petition would still fail since the CA committed no reversible error in its judgment.

2. **Validity of Writ of Execution**:

The Court acknowledged that the writ of execution was issued without mandatory notice to

the petitioners, but declined to invalidate it due to the dilatory nature of the petitioners' motion. The Court emphasized that technical rules should yield to the ends of justice and finality of judgment should not be disturbed.

3. ****Merits of the Petitioners' Case****:

This issue was dismissed as moot since the petitioners lost on procedural grounds. The case had already been resolved with finality in G.R. No. 126112, and a final decision cannot be disturbed.

Doctrine:

The Court reiterated that the negligence of counsel binds the client and that final judgments should not be delayed by technical delays. Also emphasized was the principle that technical rules of procedure can be set aside when necessary to serve the ends of substantial justice and avoid miscarriage of justice.

Class Notes:

- ****Negligence of Counsel****: Client is bound by the lawyer's actions or inactions (Manila Electric Co. v. La Campana Food Products, Inc.).
- ****Notice Requirement for Motions****: A motion without notice is considered pro forma and without legal effect (Sec. 5, Rule 15 of the Rules of Court).
- ****Finality of Judgments****: Judgments that are final and executory cannot be disturbed (Nasser v. Court of Appeals).

Historical Background:

This case falls within the broader context of Philippine land disputes, often entangled in protracted legal battles involving questions of ownership and possession. The judicial emphasis on finality and the binding nature of counsel's actions reflects systemic efforts to curtail prolonged litigation that typically affects land disputes in the Philippines.