

Title

****Cahambing v. Espinosa****

Facts

Petitioner Rosario E. Cahambing and respondent Victor Espinosa are siblings, children of deceased spouses Librado and Brigida Espinosa. The disputed property, Lot 354 in Maasin City, Southern Leyte, was part of their inheritance. Initially, Librado and Brigida bequeathed their shares of Lot 354 to Victor. Subsequently, Brigida revoked her will, leaving her share to Rosario.

Post Librado's death, Brigida and Victor executed an Extrajudicial Partition dividing Lot 354 into Lot 354-A (503.5 sqm) for Brigida and Lot 354-B (837.5 sqm) for Victor. Victor secured a certificate of title for Lot 354-B.

Excluded from the partition, Rosario filed Civil Case No. R-2912 for annulment of the Extrajudicial Partition, citing interference by respondent Juana Ang, Victor's representative. At issue was control over leases within the commercial Espinosa Building on Lot 354.

During pre-trial, an April 16, 1998 order maintained the status quo. Victor, claiming Rosario violated this order by allowing her sons access to Jhanel's Pharmacy, sought a Temporary Restraining Order (TRO) and preliminary injunction.

The RTC granted Victor's TRO request on March 6, 2009, and subsequently, on September 22, 2009, issued a writ of preliminary injunction. Rosario contested this, alleging Victor himself breached the status quo but her motion was denied on February 25, 2010. Rosario then sought relief via Rule 65 petition to the Court of Appeals (CA), which dismissed her petition, affirming the RTC's orders. Her ensuing motion for reconsideration was also denied.

Rosario's final plea, a Petition for Review on Certiorari to the Supreme Court, reiterated the CA's alleged errors, especially regarding compliance with injunction issuance prerequisites.

Issues

1. Whether respondents' actions disqualified them from equitable relief due to unclean hands.
2. Whether the requirements for issuing a writ of preliminary injunction were met, particularly concerning urgency, irreparable damage, and clarity of rights.
3. Whether the CA erred in upholding the RTC's issuance of the injunction despite the

quantifiable nature of alleged damages and delay in seeking the injunction.

Court's Decision

1. ****Unclean Hands****: The Supreme Court ruled that respondents did not have unclean hands. The CA's finding that respondents did not breach the status quo ante was upheld.

2. ****Requisites for Preliminary Injunction****:

a. ****Clear and Unmistakable Right****: The right of Victor Espinosa to the commercial space rented by Jhanel's Pharmacy under an existing lease was deemed clear and established.

b. ****Urgency and Irreparable Damage****: The disturbance of Jhanel's Pharmacy's commercial space by Rosario's sons constituted urgent, irreparable damage to Victor's interests, warranting the injunction to prevent business instability and preserve extant lease agreements.

The Supreme Court emphasized the CA's factual findings and the RTC's exercise of judicial discretion did not constitute grave abuse.

Doctrine

For a writ of preliminary injunction to be issued, two primary requisites must be met:

1. A clear and unmistakable right that needs protection.
2. Urgent and paramount necessity to prevent serious, irreparable, or substantial damage.

Grave abuse of discretion, in the context of issuing writs of preliminary injunction, implies a capricious or whimsical exercise of judgment. Substantial evidence supports factual findings, thereby binding higher courts unless exceptions to review are applicable.

Class Notes

****Key Elements for Issuing a Preliminary Injunction:****

- ****Clear Right****: The applicant must have a recognizable and definitive right requiring protection.
- ****Irreparable Injury****: Harm faced must be irreparable, beyond commercial compensation.
- ****Status Quo****: The injunction seeks to maintain the status immediately preceding the litigation.
- ****Urgency****: Immediate risk of damage necessitates prompt court intervention.

****Case Citation:****

- Rules of Court, Rule 58, Section 3, emphasizing conditions under which preliminary

injunctions may be granted.

Historical Background

This case highlights the principle within Philippine jurisprudence that the equitable remedy of an injunction is discretionary and aims to preserve existing conditions while litigation is pending. This upholds the stability of business and property rights against unlawful interferences. The Supreme Court's role is further underscored as one of law interpreter rather than fact-finder, stressing its reliance on lower courts' determinations barring significant judicial errors or abuses.