

**\*\*Title:\*\***

Philippine National Railways Corporation, Japhet Estranas and Ben Saga vs. Purificacion Vizcara, et al.

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

On May 14, 2004, at around 3 AM, Reynaldo Vizcara was driving a passenger jeepney with various companions, delivering onion crops toward Bicol. While crossing a railroad track in Tiaong, Quezon, a Philippine National Railways (PNR) train operated by Japhet Estranas collided with the jeepney. The collision caused the instantaneous deaths of Reynaldo, Cresencio Vizcara, Crispin Natividad, and Samuel Natividad, while Dominador Antonio and Joel Vizcara sustained serious injuries. There was no level crossing at the site, and the existing "Stop, Look, and Listen" signages were poorly maintained.

On September 15, 2004, surviving victims Joel and Dominador, along with the heirs of the deceased, filed a damages lawsuit against PNR, Estranas, and Ben Saga before the Regional Trial Court (RTC) of Palayan City, docketed as Civil Case No. 0365-P. The respondents alleged gross negligence by PNR for inadequate safety measures, while the petitioners argued they exercised due diligence in operating the train.

**\*\*Procedural Posture:\*\***

1. **\*\*RTC Decision (March 20, 2007):\*\*** The RTC ruled in favor of the respondents, awarding various damages including indemnity for death, moral damages, exemplary damages, and attorney's fees.
2. **\*\*Court of Appeals Decision (July 21, 2009):\*\*** On appeal by the petitioners, the CA affirmed the RTC's decision but modified some damage awards, specifically reducing certain amounts and deleting some awards for re-embalming, wake expenses, and attorney's fees.
3. **\*\*CA Resolution (October 26, 2009):\*\*** The petitioners' motion for reconsideration was denied by the CA.
4. **\*\*Supreme Court Petition:\*\*** Aggrieved, the petitioners filed a petition for review on certiorari with the Supreme Court.

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

1. Whether the CA erred in finding that the petitioners' negligence was the proximate cause of the accident.
2. Whether the doctrine of last clear chance should be applied in the instant case.
3. Whether there was contributory negligence on the part of the respondents.

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

1. **\*\*Proximate Cause of the Accident:\*\***

The Supreme Court upheld the CA's finding that the proximate cause was PNR's negligence in failing to install adequate safety devices at the railroad crossing. The Court noted that the lack of a level crossing bar, proper lighting, and well-maintained signage which could have forewarned the jeepney driver of the approaching train constituted gross negligence.

2. **\*\*Doctrine of Last Clear Chance:\*\***

The doctrine was deemed inapplicable by the Court. Since the unsophisticated operation of the crossing area left no opportunity for the jeepney driver to foresee the danger, the burden was on PNR to ensure public safety, which they failed to fulfil.

3. **\*\*Contributory Negligence:\*\***

The Court found no contributory negligence on the part of the respondents. The jeepney driver, Reynaldo, followed a ten-wheeler truck through the crossing without realizing the imminent danger due to insufficient warning devices. The absence of adequate crossing mechanisms led him to anticipate it was safe to cross after the truck.

**\*\*Doctrine:\*\***

1. **\*\*Negligence Standard:\*\*** The ruling reaffirms the standard that entities like PNR must exercise a high level of care and caution in maintaining their infrastructure and warning devices to protect the public.
2. **\*\*Reasonable Care Requirement:\*\*** Companies owe a duty of care to ensure public safety by installing and maintaining effective warning devices at crossings.
3. **\*\*Inapplicability of Last Clear Chance:\*\*** The doctrine of last clear chance has limited application and is not applicable when the primary cause of an accident is due to the defendant's gross negligence.

**\*\*Class Notes:\*\***

- **\*\*Negligence Elements:\*\*** Duty, breach, causation (proximate cause), and damages.
- **\*\*Doctrine of Last Clear Chance:\*\*** Applicable when both parties are negligent, but one has a subsequent opportunity to prevent harm.
- **\*\*Contributory Negligence:\*\*** The injured's failure to exercise due care, which contributes to the harm suffered.

**\*\*Historical Background:\*\***

This decision highlights the historical struggle in Philippine infrastructure development,

especially in public transportation and safety standards. The case underscores the ongoing issues of maintaining safety at railroad crossings and the responsibilities of rail companies to protect the public, marking a significant legal precedent in holding public transport systems accountable for safety measures.

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This detailed structure will enable students and readers to grasp the key legal principles, background context, and analytical aspects needed for a comprehensive understanding of the case.