

Title

****Apolonio Galofa vs. Nee Bon Sing****

Facts

Plaintiff Apolonio Galofa filed a complaint for the recovery of possession and to quiet title over a parcel of land located in Sta. Lourdes, Barcelona, Sorsogon. The land was previously owned by his father, Francisco Galofa, and was orally adjudicated to him among his co-heirs. Despite this, Galofa could not take possession due to an adverse claim by Defendant Nee Bon Sing and/or his tenant, Abion Pantilone, asserting ownership via a sale by Fe Nicolas. Galofa contends this sale was void as Nicolas was not the owner and Nee Bon Sing, being an alien, could not own real property under the Philippine Constitution.

In response, Nee Bon Sing denied asserting any ownership or possessory rights over the land. He further denied liability for attorney's fees or costs incurred by the plaintiff.

Upon motion by Galofa, the Court of First Instance of Sorsogon rendered judgment on the pleadings, declaring Galofa the owner and ordering Nee Bon Sing to vacate and pay legal costs. The decision was based on the defendant's insufficient denials, deemed as negative pregnant admissions (ambiguous and effectively admitting the facts when denying qualifications).

Issues

1. ****Whether the defendant's answer tendered a genuine issue for trial.****
2. ****Whether the plaintiff is entitled to recover attorney's fees and costs.****
3. ****Validity of the court's refusal to grant the defendant's motion for reconsideration and/or new trial.****

Court's Decision

The Supreme Court affirmed the lower court's judgment:

1. ****Genuine Issue:****

The defendant's denials were found to be negative pregnant, meaning they were ambiguous and effectively admitted the material facts. Therefore, the lower court was correct in ruling that no genuine issue existed for trial.

2. ****Attorney's Fees and Costs:****

The plaintiff's right to recover attorney's fees and costs was undisputed because the defendant's denial only addressed liability, not the material fact of the incurred costs.

3. **Reconsideration/New Trial:**

The motion for reconsideration and/or new trial, aiming to amend the answer, was rightly denied since the defendant repeatedly disclaimed any real interest in the property. This reinforced there was nothing to trial.

Doctrine

The case reiterated the principle of “negative pregnant” in pleadings, indicating that denials of qualified statements without clear refutation of the underlying fact can be treated as admissions (41 Am. Jur. 429 and 28 Words & Phrases 314).

Class Notes

- **Negative Pregnant:** Ambiguous denial that can be interpreted as an admission.
- **Judgment on the Pleadings:** Appropriate when the defendant’s answer does not effectively dispute the plaintiff’s material allegations.
- **Attorney’s Fees Recovery:** Valid if defending party does not explicitly contest the incurred costs as a fact.
- **Motion for Reconsideration:** Requires new substantial issues to be trial-worthy, which were absent in this case.

Key Statutes/Rules:

- **Sec. 1, Rule 9, Rules of Court (Philippines):** Specific denials not required for claims of damages not yet adjudicated.
- **Aleman vs. Sweeney, 3 Phil. 114:** Supports judgment on the pleadings if there’s no dispute on substantive facts.
- **Bauermann v. Casas, 10 Phil. 386; Evangelista v. De la Rosa, et al., 76 Phil. 115:** Plaintiff’s admission of truth in unopposed allegations when seeking judgment on pleadings.

Historical Background

This case aligns with historical constitutional prohibitions in the Philippines on foreign ownership of land, a principle stemming from the era when the nation was fortifying its sovereignty and economic independence. The decision underscores the judiciary’s role in interpreting ambiguities in legal pleadings to preserve property rights and uphold statutory norms against alien land ownership.