

****Title:**** People of the Philippines vs. Hon. Bienvenido A. Tan and Lim Hoa alias Lim Hoa Ting, G.R. No. L-14921, 111 Phil. 1087 (1958)

****Facts:****

On May 12, 1954, Lim Hoa, the owner and manager of Ting Lian Hong in Manila, was charged with unfair competition under Article 189 of the Revised Penal Code. The charge accused Lim Hoa of manufacturing and selling Lantern Brand Food Seasoning, which closely resembled the Oak Barrel Brand Food Seasoning distributed by A. Tung Chingco Trading. Key similarities included the bottle size, label color, lettering in English and Chinese, wording and listing of ingredients, the use of a similar lantern symbol, and other elements that allegedly deceived the public into thinking the Lantern Brand was the Oak Barrel Brand, causing damage to A. Tung Chingco Trading.

Upon arraignment, Lim Hoa initially pleaded not guilty but later changed his plea and moved to quash the information on the grounds that the facts did not constitute any offense. On March 23, 1956, Judge Bienvenido A. Tan granted the motion, quashing the case. The prosecution appealed this order to the Supreme Court (G.R. No. L-10612), which reversed Judge Tan's ruling on May 30, 1958, and remanded the case for trial.

Upon remand, the prosecution sought to transfer the case to another branch, feeling that Judge Tan was biased. This motion was denied on November 24, 1958, as was a subsequent motion for reconsideration.

During the trial, Illuminado F. Reyno, a Food Health Inspector, was called by the prosecution to testify that Lim Hoa's product labels contained false statements about the ingredients. The defense objected, asserting that this evidence was irrelevant to the charges. Judge Tan sustained the objection and halted further testimony from the witness. The prosecution then sought a writ of prohibition and certiorari to bar Judge Tan from hearing the case, claiming his undeniable bias, which led to the issuance of a preliminary injunction against Judge Tan.

****Issues:****

1. Whether Judge Bienvenido A. Tan exhibited bias sufficient to warrant prohibiting him from continuing to preside over the case.
2. Whether the evidence regarding the false statements of ingredients on Lim Hoa's product labels was admissible.

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

1. **Bias of the Judge:** The Supreme Court acknowledged that Judge Tan had retired, rendering the issue of his bias moot. Therefore, there was no need to address whether his alleged bias warranted prohibiting him from continuing to preside over the case.

2. **Admissibility of the Evidence:** The Court held that it was improper to determine the admissibility of evidence in this special civil action for prohibition and certiorari. The Court opined that even if Judge Tan's exclusion of the evidence was hypothetically erroneous, this constituted a mere mistake of judgment and did not amount to abuse of discretion, much less a grave one that would affect the jurisdiction of the lower court. The Court stressed that the trial would restart before a different judge who might rule differently on the evidence's admissibility, presenting another adequate remedy for the prosecution.

Doctrine:

1. **Judicial Bias:** Claims of judicial bias must be substantiated and impair the fairness of the proceedings to warrant judicial recusal.
2. **Restricting Certiorari and Prohibition:** Certiorari and prohibition are not tools for overriding a judge's potential judicial error unless there is a demonstration of grave abuse of discretion. Disagreements on evidentiary rulings are typically insufficient for certiorari unless they significantly impact jurisdiction or equate to grave abuse.
3. **Adequate Legal Remedies:** The availability of appeal or reassignment to another judge are sufficient alternative remedies to correct trial errors.

Class Notes:

- **Unfair Competition (Article 189, Revised Penal Code):** Key elements include fraudulent imitation or misrepresentation to deceive the public and damage a competitor.
- **Judicial Proceedings:**
- **Motion to Quash:** A plea that an indictment contains no offense.
- **Writ of Certiorari:** Used to review lower courts' decisions for grave abuses of discretion.
- **Prohibition:** A directive preventing a lower court from continuing proceedings.
- **Bias and Disqualification of Judges:** Require clear evidence affecting fairness.

Historical Background:

This case fits within the post-World War II corporate regulation and commercial fraud landscape in the Philippines. During the mid-20th century, there was a focus on establishing fair trade practices and protecting intellectual property. The decision underscores a judicial approach towards balancing corrections of potential judicial errors with ensuring

procedural regulations and proper legal remedies without undermining the adjudicatory roles of trial courts.