

ANDRES B. MORALES, ET AL., COMPLAINANTS, VS. ATTY. DIONISIO MANEJA, JR. RESPONDENT.

Adm. Case No. 1613. December 26, 1984

Ponente: ESCOLIN, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/0148d5ce29e4/>

ESCOLIN, J.:

Andres B. Morales and Renato B. Morales filed a sworn letter-complaint urging this Court to take disciplinary action against respondent Atty. Dionisio Maneja, Jr. for violation of professional ethics and his lawyer's oath. The gravamen of the charge was his failure, as counsel for the complainants, to seasonably appeal an adverse decision rendered by the then Court of First Instance of Rizal in Civil Case No. 14800.

Complainants were named defendants in a complaint for damages instituted by one Mariano Gaspar before the then Court of First Instance of Rizal for the death of his minor son Ronnie Gaspar, who was hit by a jeepney owned by Andres B. Morales and driven by his brother Renato B. Morales. In connection with said case Remedios Morales, sister of complainants and an employee of the City Court of Quezon City, requested her friend, Atty. Maneja, Jr., to extend legal assistance to her brothers. Atty. Maneja agreed, although no specific amount of attorney's fees was agreed upon.

After conferring with the Morales brothers, Atty. Maneja filed a motion to dismiss the complaint in Civil Case No. 14800 and upon denial of the motion, he likewise filed the corresponding answer. The trial took more than three years to terminate, during which time Atty. Maneja attended all the hearings, except one where he moved for continuance. In at least two hearings, Atty. Maneja had to appear in crutches because of severe pain in the legs.

After trial, the court rendered a decision holding the Morales brothers jointly and severally liable to plaintiff Mariano Gaspar in the amount of P3,611.15 as actual damages, P12,000.00 as moral damages, P2,000.00 as attorney's fees and costs of the suit. Copy of the decision was sent to Atty. Maneja by registered mail. The registry receipt showed that the same was received on February 11, 1975 by respondent's 16-year old son, Cesar Maneja. According to the latter, as he was leaving for school he placed the sealed envelope inside his father's filing cabinet of disposed cases.

On April 9, 1975, respondent learned of the court's decision when he found the sealed envelope while he was going through the files of cases in his cabinet. He immediately contacted one Miriam Salamat whom he knew to be a townmate of his clients, and requested her to tell them to see him in court. When respondent finally met complainants, he informed them about the adverse decision, further advising them that an appeal therefrom would be expensive, difficult and inconvenient. However, because of complainants' insistence on appealing the decision, respondent filed on April 14, 1975 with the trial court a notice of appeal and appeal bond. He likewise filed an "Urgent Motion to be Allowed to File Late Record on Appeal," together with the record on appeal which he had previously prepared. It appears that while said motion was pending resolution by the trial court, complainant Andres Morales asked respondent lawyer to withdraw as their counsel in said case. Accordingly, a written

withdrawal was prepared and signed by respondent lawyer, confirmed by Andres Morales. Complainants thereafter engaged Atty. Marcial O. P. Balgos as their new counsel.

The trial court subsequently dismissed the appeal for late filing. Complainants' new counsel filed a motion for reconsideration, but the same was dismissed. The petition for mandamus filed with the Court of Appeals in CA-GR No. 047-7-SP, as well as the subsequent petition for review on certiorari filed with this Court (G.R. No. L-43568) were likewise denied.

Hence this letter-complaint against respondent lawyer.

At the time of the incident under consideration, respondent was holding office at his residence. He had no secretary, and it was his wife who received and signed for his communications. As a practice, she placed all notices on respondent's desk for the latter to go over. As it happened, however, on the day the mail matter in question was delivered, respondent's wife was out of the house and it was his son Cesar Maneja who received the envelope containing the decision. According to him, he forgot to inform his father about it.

In a long line of cases,[1] this Court has repeatedly emphasized that "it is the duty of counsel to adopt and strictly maintain a system that efficiently takes into account all court notices sent to him." This duty includes provisions for such contingencies as what happened the instant case. Thus, while respondent did employ a system by which he was informed of the various court notices and processes addressed to him, he was remiss in having failed to instruct and remind other members of his household on what should be done with respect to such notices and processes in the absence of his wife who usually received them.

But while respondent's failure to exercise the due diligence required of a member of the legal profession justifies the imposition of disciplinary sanction, we take into account the dili-gent efforts he exerted not only during the trial on the merits of Civil Case No. 14800, but also after his discovery of the sealed envelope containing the decision in said case. We likewise consider as an extenuating circumstance the want of evidence or showing that the decision sought to be appealed was unjust or otherwise erroneous.

IN VIEW OF THE FOREGOING, we find respondent Atty. Dionisio Maneja, Jr. guilty of simple negligence and, accordingly, impose upon him the penalty of reprimand, with the warning that a repetition of such breach of professional duty shall be dealt with more severely.

SO ORDERED.

Makasiar (Chairman), Aquino, Concepcion, Jr., and Abad Santos, JJ., concur.

Cuevas, J., The dismissals of the appeals broughtn about by the negligence of the respondent has decided by prejudiced complaints who lost all recourses against the judgment against them. I am therefore for the imposition of one (1) month suspension from practice.

[1] Enrique v. Bautista, 79 Phil. 220; Baring v. Cabahug, 20 SCRA 696; Colcol v. Phil. Bank of Commerce, 21 SCRA 890; Babala v. Court of Appeals, 31 SCRA 397.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.