

## ANGEL BERMUDEZ, ET AL., PETITIONERS, VS. MARGARITA FERNANDO, RESPONDENT.

*G. R. No. L-18610. April 22, 1963*

Ponente: DIZON, J.

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### DIZON, J.:

Petitioners Angel Bermudez and Isabelo Sampaga are tenants of respondent Margarita Fernando in the latter's landholdings situated at barrio Sto. Nino Torcero, municipality of San Jose, Nueva Ecija. In the agricultural year 1958-1959 they entered into the tenancy contracts Exhibits A and B which provided, among other things, that the sharing system shall be 50-50, the transplanting expenses being for the account of respondent. The contracts were not renewed for the agricultural year 1960-1961.

In the month of August 1960, petitioners Bermudez and Sampaga refused to accept the sums of P45.00 and P60.00 tendered to them, respectively, by respondent for their planting expenses. In view thereof, on September 15, 1960, respondent consigned the amounts with the Court of Agrarian Relations, Cabanatuan City Branch (CAR Case No. 2188-NE'60) and prayed that petitioners be compelled to accept them in discharge of her obligation to defray the transplanting expenses for the agricultural year 1960-1961.

Petitioners' answer alleged that Sometime in the month of January 1960, they notified respondent of their desire to change the nature of their tenancy contracts, from sharehold tenancy to leasehold tenancy, pursuant to Section 14 of Republic Act No. 1189, as amended, and that they had already defrayed the transplanting expenses when respondent tendered to them the amounts needed for the purpose.

After trial upon the issues thus raised, the court rendered judgment:

"\* \* \* (1) declaring that the petitioner (respondent herein) shall be deemed to have defrayed the transplanting expenses on the landholdings of the respondents (petitioners herein) for the agricultural year 1960-1961; (2) ordering the Clerk of Court to release in favor of Angel Bermudez the sum of P45.00 and to Isabelo Sampaga the sum of P60.00, deposited by the petitioner with him; and (3) ordering the petitioner to pay Angel Bermudez life additional sum of P3.00 and Isabelo Sampaga the additional sum of P12.00."

Hence, this appeal.

With respect to petitioners' claim that in January 1960 they had notified respondent of their desire to change their tenancy system to leasehold tenancy, the respondent court found no sufficient evidence in the record to support the same because, as a matter of fact, petitioners did not even mention such contention in the course of their respective testimony.

With respect to their other contention that when respondent tendered to them the transplanting expenses in the month of August 1960, they had already defrayed such expenses themselves, the lower court found that said tender was made to them "before the commencement of the transplanting season in the place where the landholdings in question are located."

It is the well-settled rule that the findings of fact of the Court of Agrarian Relations may not be reviewed and reversed so long as there is substantial evidence in the record to support them. (*Atayde vs. de Guzman* 103 Phil., 187). In the present case, the findings of fact made by the respondent court, as stated heretofore, appear to be fully supported by the evidence.

Wherefore, the decision appealed from is affirmed, with costs.

Bengzon, C.J., Padilla, Bautista Angelo, Concepcion, Reyes, J.B.L. Barrera, Paredes, Regala, and Makalintal, JJ., concur.

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