

**FONTANA DEVELOPMENT CORPORATION AND FONTANA RESORT
& COUNTRY CLUB, INC, PETITIONERS, VS. THE HONORABLE
DOLE-NCR REGIONAL DIRECTOR ALAN MACARAYA, CASHIER OF
DOLE-NCR, CHRISTIAN I...**

Ponente: CARANDANG, J.

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CARANDANG, J.:

This resolves respondents' Motion for Reconsideration of Our Decision dated February 5, 2014, the dispositive portion of which reads:

“WHEREFORE, finding grave abuse of discretion amounting to lack or excess of jurisdiction on the part of the public respondent, the Resolution dated June 6, 2012 is hereby SET ASIDE and the writ of execution dated February 14, 2010 is hereby QUASHED for being premature. The case is REMANDED to the DOLE-NCR for proper disposition.”[1]

We find the no novel issues raised herein by the respondents-movants which would warrant a reconsideration of the said decision. We have already exhaustively discussed the issues raised anew by respondents. To reiterate, herein petitioners were not notified of the Regional Director's Order dated November 10, 2010. Therefore, they could not file an appeal thereto. Said Order did not become final and executory, thus, the Regional Director acted with grave abuse of discretion amounting to lack or excess of jurisdiction when he issued the writ of execution dated February 14, 2010, which act is correctible by certiorari.

WHEREFORE, premises considered, the instant Motion for Reconsideration is hereby DENIED.

SO ORDERED.

Gonzales-Sison and Sorongon, JJ., concur.

[1] Rollo, at 424-433

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