

PHILIPPINE TRUST COMPANY (ALSO KNOWN AS PHILTRUST BANK), PETITIONER, VS. LANDBANK OF THE PHILIPPINES, DEPARTMENT OF AGRARIAN REFORM, AND DEPARTMENT OF AGRARIAN REFORM ADJUDICATI...

Ponente: SALAZAR-FERNANDO, J.

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SALAZAR-FERNANDO, J.:

For resolution is petitioner's Motion for Reconsideration[1] of the Resolution[2] of this Court dated September 25, 2014 which denied due course and dismissed the instant Petition for Review on the ground that the reglementary period to file the same already lapsed on October 3, 2013, or for a period of more than eight (8) months.

Private respondent LBP filed its Motion for Extension of Time to File Comment[3] which is GRANTED. The said Comment[4] filed on November 28, 2014 is hereby NOTED.

A meticulous examination of the instant Motion for Reconsideration shows that the material arguments raised by petitioner PTC were already considered and addressed by this Court in the assailed Resolution. Petitioner PTC's reliance on *Apo Fruits Corporation v. Land Bank of the Philippines*[5] to justify its non-compliance with rudimentary rules of procedure is unavailing. A mere reading of the procedural incidents in *Apo Fruits*, not to mention the factual circumstances therein, already shows a marked difference with the instant case. Contrastingly, in *Land Bank of the Philippines v. Court of Appeals and Elizabeth Diaz*[6], which this Court finds to be more squarely applicable, the Supreme Court struck down the property owner's pending appeal before this Court, and ruled that the decision of the Special Agrarian Court is already deemed final and executory. It bears emphasis that cases filed before the said court are denominated as petitions for determination of just compensation, hence, it goes without saying that the issues raised by an aggrieved property owner appealing from the decision of the Special Agrarian Court would inevitably relate to the determination of just compensation. In cases such as these, just compensation is in fact the central issue.

Thus, contrary to the insinuations of petitioner PTC, the mere fact that the matters being raised herein pertain to the determination of just compensation does not justify its disregard of already well-established procedural rules, as shown in *LBP v. Diaz*. [7] The right to just compensation is not a magic wand that can be waved by petitioner PTC to belatedly exculpate itself from its non-observance of basic procedure. Otherwise, if all such cases from Special Agrarian Courts be given due course by appellate courts regardless of the fatal defect, contrary to the disquisition of the Supreme Court in *Diaz*, then Section 60 of Republic Act No. 6657 would be reduced to a useless provision. Petitioner PTC's argument that the assailed Decision is still being questioned by private respondent LBP is of no moment, as it does not change the fact that the said Decision had already attained finality insofar as petitioner PTC is concerned. To reiterate, petitioner PTC only had until October 3, 2013 to file a Petition for Review, and yet it filed the same only on June 13, 2014, which this Court finds as clearly inexcusable.

There being no substantial argument which would warrant the modification much less the reversal of this Court's September 25, 2014 Resolution, petitioner's Motion for Reconsideration is hereby DENIED for lack of merit.

SO ORDERED.

Garcia, R.R., and Bueser, D.Q., JJ., concur.

[1] Rollo, pp. 177-190

[2] Rollo, pp. 172-175

[3] Rollo, pp. 192-196

[4] Rollo, pp. 197-210

[5] G.R. No. 164195. April 5, 2011.

[6] G.R. No. 190660. April 11, 2011.

[7] Id.

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