

SPS. JERRY AREGLO AND TEOFILA AREGLO, SPS. JONATHAN GENES AND DIVINA GENES, DANTE BAYLON, ROSE BACANI AND ANGELO BARUGA, PLAINTIFFS-APPELLANTS, VS. SILVESTRE STA. ROSA, LEONIDES...

Ponente: BRUSELAS, JR. J.

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BRUSELAS, JR. J.:

Via our Decision[1] of 21 March 2014, we dismissed the appeal and ruled not to disturb the finding of the Regional Trial Court (RTC) that found neither extrinsic fraud nor lack of jurisdiction to have supervened to warrant a nullification of the ejectment judgment of the MTC in Civil Case No. 04-0793. The allegations of the appellants have not been sufficiently substantiated to warrant the grant by the RTC of the petition for annulment of judgment. The appellants, however, through a Motion for Reconsideration[2] insist otherwise.

The appellants re-assert that there were badges of extrinsic fraud committed by the appellees; that the failure of Leonides Sta. Rosa to oppose the ejectment complaint as well as to attend the scheduled hearing of the motion of Silvestre to render judgment despite notice thereof was part of a fraudulent plot of the appellees to secure a favorable as well as a swift judgment without giving the appellants an opportunity to participate in the proceedings. They reiterate that the subject property of the ejectment complaint was not a lot but a rental apartment. The appellants further re-assert that the demolition of their respective houses without a special order from the court was in violation of their constitutional right to due process.

The motion must be denied for lack of merit.

As occupants of the structures built on the lot subject of the case, they are also bound by the order of ejectment directed against appellee Leonides Sta. Rosa as the lessee of the said lot. They cannot have more rights than the person from whom they derive their status as occupants of the property nor have a personality and legal standing separate from and opposed to the very person from whom their status emanates. Consequently, they can be bound by the ejectment suit even if they were not named specifically as parties thereto. The foregoing, therefore, does not amount to extrinsic fraud as basis to annul the ejectment judgment of the MTC.

Therefore, we find no cogent reason to warrant a reconsideration of our decision which the appellants seek to reconsider. The motion has not raised any new, substantial ground or reason that would call for either a reversal or modification of our dismissal of the appeal. The motion to reconsider our decision does not help at all because the grounds or issues raised in the said motion have been passed upon when we rendered the decision sought to be reconsidered. To discuss again the ratio decidendi of our decision would be to belabor the issues ad infinitum.

WHEREFORE, we DENY the motion for reconsideration.

IT IS SO ORDERED.

Salazar-Fernando, and Peralta, Jr.,[*] JJ., concur.

[*] Acting third member vice J. Gaerlan per Office Order No. 100-14-RSF dated March 12, 2014.

[1] Rollo, p. 105.

[2] Rollo, p. 118.

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