

ROGER SINOT, SR., Petitioner, vs. BARANGAY BAAN, KAYAPA, NUEVA VIZCAYA, Respondent.

Ponente: GARCIA-FERNANDEZ, J.

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GARCIA-FERNANDEZ, J.:

On December 13, 2013, this Court issued a resolution[1] dismissing the instant petition for review based on procedural and substantial infirmities.

Unsatisfied, petitioner sought reconsideration arguing that the defects of the petition were not intended and that it was inadvertently made.[2]

Notwithstanding petitioner's compliance with the procedural requirements, the motion cannot prosper.

Although the failure to attach the required affidavit of service is not fatal if the registry receipt attached to the petition clearly shows service to the other party, it must be remembered that this was not the only rule of procedure petitioner failed to satisfy. This Court finds that petitioner has not demonstrated any cogent reason for this Court to take an exception and excuse his disregard of the basic procedural rules in a petition for review. One cannot escape the rigid observance of the rule by claiming oversight or inadvertence. Neither can it be trifled with as a "mere technicality" to suit the interest of a party.[3]

WHEREFORE, the motion for reconsideration is DENIED.

SO ORDERED.

De Leon, (Chairperson), and Cruz, JJ., concur.

[1] Rollo, pp. 65-66.

[2] Rollo, pp. 67-72.

[3] See Philippine National Bank vs. Commissioner of Internal Revenue, G.R. No. 172458, December 14, 2011.

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