

**FRANCISCO BELLEZA, LAURO BOTONES, ANATALIO BOTONES,
EXEQUIEL MULI, MAXIMINO CRUZ, FELIPE PAMINTUAN, RAFAEL
MACASPAC, GREGORIO MULI, FRANCISCO CRUZ, ROBERTO BACANI,
AURELIO CRUZ,...**

G.R. No. L-33355. April 11, 1972

Ponente: BARREDO, J.

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BARREDO, J.:

Petitions for certiorari to nullify, set aside and revoke the order of preliminary injunction issued by respondent judge on March 9, 1971 in Civil Case No. G-37 of the Court of First Instance of Pampanga, entitled "Dimson Farms, Inc. vs. Col. Ponciano Gonzales, et al." restraining, in effect, the execution of the joint decision of the Court of Agrarian Relations in C.A.R. Case Nos. 1235-P'62, Francisco Belleza, et al. vs. Rufino Dimson, 1236-P'62, Avelino Cruz vs. Rufino Dimson, and 1251-P-63, Rufino Dimson vs. Francisco Belleza, et al., which ordered the reinstatement of the plaintiffs in the first two cases, Belleza, et al., herein petitioners, in the lands of therein defendant Dimson, and for prohibition to enjoin the court a quo from further proceeding in said Civil Case No. G-37, both petitions being commonly based on the ground that the respondent court is without jurisdiction in the premises.

Upon giving due course to the petitions, the Court issued a restraining order against any further action on the part of the respondent court in the subject cases until further orders, but the actual reinstatement of the defendants Belleza, et al. was specifically ordered not to be implemented until after the petition for preliminary injunction could be heard and resolved.

In its answer, private respondent Dimson Farms, Inc. alleged as its main defense that the defendant in the agrarian case, the judgment wherein is now sought to be executed, was Rufino Dimson, who has already died, and that the Dimson Farms, Inc. against whom the same is being enforced is not the successor-in-interest of said Rufino Dimson and neither are the lands in which petitioners are being reinstated the properties of the deceased defendant Dimson. In other words, the basic theory of the private respondent's defense is that the respondent court has not acted without jurisdiction because the execution of the joint decision of the Agrarian Court is being made against a party who was neither the defendant nor his successor-in-interest and in respect to lands not belonging to said defendant but to the respondent Dimson Farms, Inc., a party distinct and different from the said Rufino Dimson. Accordingly, the decisive issues seemingly forged in the pleadings resolve around two points: (1) the alleged personality of Dimson Farms, Inc. as the successor-in-interest of Rufino Dimson, within the contemplation of the agricultural tenancy laws; and (2) the ownership of the lands in which they are being "reinstated by the Sheriff and P.C. soldiers implementing the writ of execution" in question. But at the hearing of this case on May 28, 1971, when the Court interpellated counsel of both parties on the above two points, it turned out, from the informative statements of Atty. Lorenzo Tañada, who appeared for private respondent, that the real and only reason why private respondent is resisting the reinstatement sought by petitioners is because the judgment or joint decision of the Court of Agrarian Relations in the above-named cases does not clearly and definitely

describe the lands from which petitioners were ejected by the late Rufino Dimson and in which they should now be reinstated and the parties could not agree as to the identity of said lands. And since Dimson Farms, Inc. owns lands other than those that came from Rufino Dimson, there is apprehension that petitioners may be reinstated in the wrong lands. Atty. Tañada contended that under the circumstances, the writ of execution in question is unenforceable, since the decision on which it is based is incomplete. Upon being asked by the Court, counsel for petitioners agreed that Atty. Tañada's statement of the problem between the parties is correct. Thereupon, the Court, disregarding any possible technicalities of procedure and to terminate earliest this case which started way back in 1962, inquired from the parties if they could enter into an agreement by virtue of which the Court of Agrarian Relations may reopen the above-named case for the sole purpose of delineating the boundaries of the respective lands in which the petitioners are supposed to be individually reinstated and thereafter render a new decision which all parties shall voluntarily abide by, and upon Atty. Tañada of respondent Dimson Farms, Inc. and Atty. Alberto A. Reyes of petitioners expressing their conformity, the Court gave the parties time within which to formalize and submit their agreement.

In due time, the parties filed the following joint motion:

"JOINT MOTION

"COME NOW the parties in the above-entitled case, through their respective counsel, and pursuant to the understanding reached during the oral argument last May 28, 1971, to this Honorable Court respectfully state that:

"1. After a joint hearing of CAR Cases Nos. 1235-P'62 and 1236-P'62 filed by herein petitioners against the late Rufino Dimson, and CAR Case No. 1251-P'63 filed by the latter against herein petitioners, a joint decision dated October 31, 1968 was rendered wherein, among other things, the Court held as follows:

'2. Holding that plaintiffs Belleza, et al. were illegally dispossessed from their respective landholdings by defendant Rufino Dimson on May 13, 1963 and ordering defendant Rufino Dimson to reinstate plaintiffs Francisco Belleza, et al. to their respective landholdings with all the parties and privileges of tenants.'

"2. Because the landholdings to which herein petitioners were ordered reinstated are not described in the decision with sufficient certainty to clearly identify them and to enable the execution officers to place the herein petitioners in possession of said landholdings, the several writs of execution issued by the Court of Agrarian Relations could not be enforced.

"3. The last alias writ of execution issued was addressed to the Provincial Commander of the Philippine Constabulary in Pampanga, the Provincial Sheriff and Mr. Felixberto Gomez, a representative of the Court of Agrarian Relations who were ordered to cut and harvest 'the sugarcane crops planted on the landholdings in question' and place plaintiffs in 'peaceful possession and cultivation of their respective landholdings situated in Saba, Hermosa, Bataan and at Prado, Lubao, Pampanga, otherwise known as Hacienda Dimson.' However, said execution officers, before implementing the court order, filed a Motion for Clarification because according to them they had 'no way of definitely locating the respective landholdings of the tenants concerned because there are no visible boundary marks delineating the perimeter of each landholdings, and there is a dispute or disagreement between the parties as to the exact location of the various landholdings.'

"The aforementioned motion for clarification as well as the motion for reconsideration filed by Jaime Dimson, Administrator of the intestate estate of Rufino Dimson, were denied by the Court of Agrarian Relations on the ground that 'there was nothing to clarify.'

"4. The private respondent, Dimson Farms, Inc., then filed a petition for injunction in the Court of First Instance of Pampanga presided by respondent Judge Andres Aguilar who, after hearing the parties, issued the writ of preliminary injunction now being questioned before the Honorable Tribunal in the instant case on the

theory that said respondent Judge exceeded his jurisdiction and/or gravely abused his discretion in so doing.

"5. The most expedient and equitable manner to solve the impasse caused by the inadequacy of the description of the landholdings to which petitioners herein are to be reinstated and to terminate the instant petition now pending before this Honorable Court is for it to direct the Court of Agrarian Relations to receive evidence in the aforementioned cases as are necessary for the purpose of definitely identifying the landholdings in dispute.

"WHEREFORE, it is respectfully prayed that this Honorable Tribunal, in the exercise of its supreme supervisory powers, issue an order directing the Court of Agrarian Relations, 5th Regional District, Branch II, San Fernando, Pampanga, to hold supplementary proceedings in aid of execution in CAR Cases Nos. 1235-P'62, 1236-P'62 and 1251-P'63 to receive evidence for the purpose of definitely identifying the lot location of the 'slandholdings' in dispute, so that the decision of October 31, 1968 could be implemented at the earliest time practicable.

"It is further prayed that another order be issued declaring the proceedings in the Court of First Instance of Pampanga (Dimson Farms, Inc. vs. Col. Ponciano Gonzales, et al. Civil Case No. G-37) and the instant proceedings closed and terminated without costs."

While as a matter of law, the Court cannot grant the prayer that an order of the tenor suggested be issued in this case for compliance by the Court of Agrarian Relations, since to do so would involve the unusual and rather irregular issuance of an order, substantial in character, to an entity not a party to the present pending action, We believe it is sufficient, for the purpose of achieving the objective contemplated, that the Court hold, as it hereby holds, that there is no legal impediment whatsoever to the Court of Agrarian Relations setting aside the joint decision in and reopening the above-mentioned cases, C.A.R. Cases Nos. 1235-P'62, Francisco Belleza, et al. vs. Rufino Dimson, 1236-P'62, Avelino Cruz vs. Rufino Dimson, and 1251-P'63, Rufino Dimson vs. Francisco Belleza, for the sole and only purpose of enabling said court to render a new judgment identifying and describing definitely and specifically the lands to which petitioners should be reinstated, it being agreed between the parties that the joint decision rendered on October 31, 1968 is fatally defective in that respect. It is understood that none of the parties shall take advantage of this holding in order to reopen the said cases completely and obtain a substantially different decision.

As to the issue of jurisdiction raised in the petition, it is obvious that the respondent judge acted without jurisdiction in taking cognizance of the petition in Case No. G-37, hence all proceedings held and orders issued therein are null and void. In no instance may a Court of First Instance legally enjoin the execution of final judgments of the Court of Agrarian Relations which is a court of special jurisdiction. If there should be any question in relation to such judgments, the proper remedy lies with the same court, subject, of course, to review by this Court in appropriate instances.

WHEREFORE, judgment is hereby rendered granting the petition, without costs, and declaring the questioned order mentioned at the beginning of this decision null and void, without prejudice, however, to the parties taking the appropriate steps in the Court of Agrarian Relations for the implementation of their above-quoted agreement in line with the holdings in the above opinion.

Concepcion, C.J., Reyes, J.B.L., Makalintal, Zaldivar, Castro, Fernando, Teehankee, Villamor, and Makasiar, JJ., concur.

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