

**SPOUSES ALEXANDER SAN GABRIEL AND MYRNA GO SAN GABRIEL,
PETITIONERS, VS. REGIONAL TRIAL COURT, PASIG CITY, BRANCH
264, HON. JUDGE LEONCIO M. JANOLO, JR., SPOUSES ARTURO J. DE
GU...**

Ponente: BRUSELAS, JR. J.

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BRUSELAS, JR. J.:

We previously denied the Rule 65 petition filed by the petitioners via the Decision[2] promulgated on 25 June 2014.

The petitioners, however, moved for a reconsideration[3] of our decision and asked us to direct the RTC to elevate the records of the case below in order for us to reexamine the said records and to remove our doubts on the evidence that they had earlier presented. They asserted that they were able to obtain new copies of the mailing envelope and the motion for reconsideration certified by the RTC's officer-in-charge which would support their claim that they had timely filed their motion for reconsideration on 21 July 2010 through registered mail.

The motion fails to persuade us.

A perusal of the said motion discloses that the petitioners have failed to set forth any other valid and justifiable ground or reason that would compel us to alter, nullify, modify or set aside our ruling that the trial court did not gravely abuse its discretion when it denied the petitioners' notice of appeal. The RTC declared that the court's decision of 22 June 2010 had already become final and executory and that the petitioners failed to perfect their appeal within the period provided by the Rules of Court due to the late filing of their motion for reconsideration. This lower court ruling we found to be based on the evidence before the trial court which were reproduced by the parties herein in the instant petition. Requiring the elevation of the trial court records will not alter our conclusion about the absence of grave abuse of discretion.

Further, the motion to reconsider our decision vis-a-vis the respondent's opposition which we find to be well-taken, does not help at all because the arguments embodied in it have been amply discussed and passed upon when we rendered our decision. It will be a mere redundancy if we will again rule on the same.

WHEREFORE, we DENY the motion for reconsideration.

IT IS SO ORDERED.

Salazar-Fernando, Chairperson and Barrios, JJ., concur.

[1] The first name of respondent Mr. De Guzman appears to be "Arturo" and not "Antonio" as can be gleaned on the documentary submissions of the parties and the RTC's subject orders.

[2] Rollo, p. 541.

[3] Rollo, p. 560.

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