

**JOSE BENEDICTO CAÑADA ET AL., PETITIONERS-APPELLANTS, V.
MANILA ELECTRIC COMPANY AND/OR SAN PEDRO BUSINESS
CENTER AND MAKATI FOUNDRY, INC., RESPONDENTS-APPELLEES.**

Ponente: BARZA, R. F., J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/1aa104a7b88d/>

BARZA, R. F., J.:

Record shows that this Court issued a Notice To File Memorandum[1] on October 21, 2013, requiring the parties to file their respective Memoranda within a non-extendible period of thirty (30) days from notice with a stern warning that failure of appellants to comply with the rule can be a ground for dismissal of the appeal. Said notice to file memorandum was received by petitioners-appellants' counsel, Atty. Melanio Mauricio, Jr. on November 14, 2013,[2] thus, making December 14, 2013 as the expiry date of petitioners-appellants' period to file their memorandum within thirty (30) days.

On December 11, 2013, respondent-appellee Manila Electric Company filed its Memorandum.

On January 15, 2014, respondent-appellee Makati Foundry Inc., through counsel, filed a Motion To Admit (Hereto Appended Memorandum for Appellee Makati Foundry Inc.)[3], explaining the delay in the filing of its Memorandum, praying that the instant motion be GRANTED and the appended Memorandum for Appellee be ADMITTED. Enclosed therewith is respondent-appellee Makati Foundry Inc.'s Memorandum.[4]

As per Report[5] of the Judicial Record Division (JRD) dated February 10, 2014, no Memorandum has been filed by petitioners-appellants.

Considering the failure of petitioners-appellants to file the required Memorandum within the reglementary period which expired last December 14, 2013, We consider them to have abandoned the filing thereof.

WHEREFORE, in view of the foregoing, the instant petition is hereby DISMISSED pursuant to Sec. 10, Rule 44 of the Revised Rules of Court.

The Memorandum filed by respondent-appellee Manila Electric Company on December 11, 2013 and respondent-appellee Makati Foundry Inc.'s Memorandum filed on January 15, 2014 are merely NOTED by this Court.

SO ORDERED.

Abdulwahid (Chairperson) and Cruz, JJ., concur.

[1] Rollo, p. 24

[2] Ibid., p. 57.

[3] Ibid., pp. 59-61.

[4] Ibid., pp. 62-82.

[5] Ibid., p. 95 (dorsal portion).

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.