

**ANGEL A. GIL, COMPLAINANT, VS. JUDGE LEONCIO M. JANOLO, JR.,
REGIONAL TRIAL COURT, BRANCH 264, PASIG CITY, RESPONDENT.**

A.M. No. RTJ-00-1602. December 05, 2000

Ponente: MENDOZA, J.

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MENDOZA, J.:

This is a complaint filed against Judge Leoncio M. Janolo, Jr., presiding judge of the Regional Trial court, Branch 264, Pasig City, for failure to decide Civil Case No. 65268, entitled "Maria Isabel A. Del Rosario, Alejandro A. Gil and Jose A. Gil III v. Angel Gil and Josephine A. Gil" within three months, as required by Art. VIII, § 15 (1)(2) of the Constitution in connection with Rule 3.05, Canon 3 of the code of Judicial Conduct.

Civil Case No. 65268 was filed on August 30, 1995. On April 14, 1998, respondent judge issued an order admitting defendant's Formal Offer of Evidence filed on December 4, 1997 and directing both parties to submit their respective memoranda in the form of a draft decision within 30 days, after which the case would be considered submitted for decision.

It appears, however, that both parties failed to submit their respective memoranda. For this reason, on September 25, 1998, respondent judge issued another order, the dispositive portion of which reads:

WHEREFORE, for (the) speedy disposition of this case, the Court's directive to parties is reiterated and both are given a period of five (5) days from receipt of this order to file their respective memorandum in the form of a draft decision, after which this case shall be submitted for decision.

This five day period shall not be extended for any cause whatsoever, and failure to comply with this Order shall be deemed a waiver to file memorandum.

On March 17, 1999, over five months later, Angel A. Gil, one of the defendants in Civil Case No. 65268, filed a complaint against respondent judge, alleging that:

[It] took Judge Janolo more than four (4) months to act on defendant's Formal Offer of Evidence. It is also evident from these orders that more than three months have elapsed, and that the above-mentioned case has remained undecided up to now.

In his Comment dated May 12, 1999, respondent judge acknowledges the delay, which he claims is the result of technical problems with the office computers. He points out that a decision has already been rendered and the technical problem solved, after some time and personal expense to him. He assures the Court that a system has already been adopted to minimize, if not eliminate, the effects of any computer problems in the future.

Respondent's excuse is unsatisfactory.

Under Art. VIII, §15(1) of the Constitution, lower courts have three months within which to decide cases or resolve matters submitted to them for resolution. Canon 3, Rule 3.05 of the code of Judicial Conduct, on the other hand, enjoins judges to dispose of their business promptly and decide case within the required period. Indeed, this

Court has constantly impressed upon judges $\frac{3}{4}$ may it not be said without success $\frac{3}{4}$ the need to decide cases promptly and expeditiously, for it cannot be gainsaid that justice delayed is justice denied. Delay in the disposition of cases undermines the people's faith and confidence in the judiciary. Hence, judges are enjoined to decide cases with dispatch. Their failure to do so constitutes gross inefficiency and warrants the imposition of administrative sanctions on them.[1]

We agree with the findings of the Office of the Court Administrator that respondent Judge's delay, while not deliberate, is in part mitigated by problems with his computers, although this fact does not exonerate him from administrative liability. We are well aware that some cases involve complex questions of facts and/or law and that the three months allotted to judges for deciding cases may well be inadequate considering the increase in litigation. This is precisely why we almost invariably grant, upon proper application and on meritorious grounds, additional time to decide cases beyond the 90-day period. When Judge Janolo allegedly started having technical difficulties with his computers, he should have immediately asked for an extension of time. This he did not do.

Without considering whether respondent in effect passed to the parties the duty of preparing the decision for him by requiring them to submit their memoranda in the form of a decision, we therefore find Judge Janolo's failure to resolve Civil Case No. 65268 within the reglementary period to be inexcusable as to warrant the imposition of an administrative sanction on him. We believe that a fine of P2,000.00, as recommended by the Office of the Court Administrator, is appropriate.

WHEREFORE, the Court finds Judge Leoncio M. Janolo, Jr. GUILTY of gross inefficiency for delay in deciding Civil Case No. 65268 within the reglementary period and IMPOSES on him a fine in the total amount of Two Thousand Pesos (P2,000.00) with warning that repetition of the same or similar acts will be dealt with more severely.

SO ORDERED.

Bellosillo, (Chairman), Quisumbing, Buena, and De Leon, Jr., JJ., concur.

[1] Office of the Court Administrator v. Judge Walerico B. Butalid, 293 SCRA 589 (1998).

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