

WORKMEN'S INSURANCE CO., INC., PETITIONER, VS. HON. COURT OF APPEALS, CARMEN BAUTISTA, AND PRIMO ZUÑIGA, RESPONDENTS.*G.R. No. L-29044. August 15, 1968*

Ponente: FERNANDO, J.

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In this petition for certiorari to review a decision of respondent Court of Appeals given due course by our resolution of June 28, 1968, petitioner Workmen's Insurance Co., Inc., and respondents Carmen Bautista and Primo Zuñiga, submitted on July 13, 1968, a pleading entitled "Compromise Agreement". The signature of respondent Primo Zuñiga not appearing in the above Compromise Agreement, this Court, on July 22, 1968, required the aforesaid respondent to comment thereon. Then came, on July 31, 1968, a manifestation from respondent Primo Zuñiga expressing "his conformity and a signature to the Compromise Agreement in question, * * *."

The Compromise Agreement is worded as follows: "A) That defendant-appellant [in the proceedings below, petitioner here] will pay the plaintiff-appellees [in the proceedings below, respondents Primo Zuñiga and Carmen Bautista here] the total sum of P12,000.00, P9, 000.00 of which being for the principal, while P3, 000.00 shall be applied as attorney's fees; B) There will be no interest due and the plaintiff-appellees [in the proceedings below, respondents Primo Zuñiga and Carmen Bautista here] are hereby waiving the right to collect the same; C) There will be no pronouncement as to cost; D) That plaintiff-appellees [in the proceedings below, respondents Primo Zuñiga and Carmen Bautista here] hereby acknowledged the receipt of the total sum of P12,000.00; under Check No. H0-10864 drawn against Philippine Commercial & Industrial Bank for P9,000.00 and Check No. HO-10865 drawn against Philippine Commercial & Industrial Bank for P3,000.00; and 3) That notwithstanding the decision of the Court of Appeals in the above-entitled case, [CA-G. R. No. 37848-R] this Compromise Agreement may be approved by this Honorable Court thereby setting aside the decision of the Court of Appeals."

While the above Compromise Agreement appears to be awkwardly drafted, the parties as noted not even taking the trouble of designating themselves correctly and in what capacities they appear in this petition for certiorari, there is no legal objection to its approval, which will have the effect of setting aside the decision of the respondent Court of Appeals sought to be reviewed, the rights of the parties being thereafter governed by such aforesaid compromise as embodied in the judgment of this Court.

WHEREFORE, let judgment be entered in accordance with the above Compromise Agreement. From the explicit terms thereof nothing appears to be left further to be complied with by the parties to the same, there being no need therefore for the usual reminder that strict compliance therewith by those who entered into such Agreement should be enjoined. Without pronouncement as to costs.

Concepcion, C.J., Reyes, Dizon, Makalintal, Zaldivar, Sanchez, Castro and Angeles, JJ., concur.

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