

ALEJANDRA BAUTISTA, AND ISABEL BAUTISTA, PETITIONERS VS. COURT OF APPEALS, AND CATALINO SANTIAGO, ET AL., RESPONDENTS.*G.R. No. L-4084. April 30, 1952*

Ponente: BENGZON, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/1fc5ece58d83/>**BENGZON, J.:**

The resolution giving due course to this petition for review expressly provides that the revision "will be confined to the error alleged to have been committed by the Court of Appeals regarding the payment of P460 by Catalino Santiago" and also "the payment as damages to the plaintiff of the sum of P1,372.00." Hence, all other matters foreign to these two issues will not be touched upon. Neither will questions of fact be re-examined, the findings of the Court of Appeals being conclusive.

The facts concerning the first point may be described in a few sentences as follows, omitting reference to particulars immaterial to our re-examination:

When the Japanese invaded the Philippines, Catalino Santiago was the assignee of a mortgage for the amount of P1,557.00 executed by Alipio Bautista in favor of Florencio Silvestre. He was in possession of the land, the mortgage contract having stipulated that the mortgage could have the enjoyment thereof. In August 1942 Alejandro Bautista, Isabel Bautista and Pilar Bautista sisters of Leogarda Bautista, deceased, who had lived maritally with Santiago, claiming that the mortgage belonged to their sister succeeded, thru the intervention of a Japanese named Muto; in making Santiago execute two documents (Exhibits A and B), whereby, for the sum of P460 which he then received from the Bautista Sisters, he assigned to the latter the mortgage above-mentioned. After the war, Santiago sued to annul the assignment and to recover the fruits and products of the land, alleging that he had signed Exhibits A and B thru duress and intimidation.

The Court of Appeals found that Santiago's consent to the assignment had been obtained by duress, ordered the annulment of the documents, and although in the body of the decision it declared that he should be ordered to return P460 to the Bautista sisters (P230 to Alejandro, P230 to Pilar), if failed to include such order in the dispositive part, which reads:

FOR ALL THE FOREGOING CONSIDERATION, x x and it is hereby ordered that the following damages be paid to plaintiff by the following defendants: Alejandra Bautista, P180 and. P102; Isabel Bautista, P102; and Pilar Bautista, P1,168. No costs in both instances."

It should be explained that the amount of P180 is the value of palay harvested by Alejandro Bautista from the land in their possession; that the P102 which Alejandro and Isabel are each required to pay is the amount (P204) they had received from the U.S. Army for the use of the land; and the other amount of P1,168 is money which Pilar alone had collected from Army for such use.

It is clear, therefore, that the dispositive part overlooked the p460 which should be returned by Santiago to Alejandra and Pilar. To meet the respondents' argument, it may be stated here that it is unjust to require this return, because although Santiago has lost a portion of the fruits of the land as per decision of the Court of Appeals, he in turn used or could have used this amount of P460. In other words the fruits are compensated with the interest on the money.

However as Pilar is not a petitioner for review, the Court of Appeals' decision may only be amended, in so far as it affects Alejandra. Bautista, by requiring the latter to pay Santiago fifty two pesos only (P180 plus P102 less P230) instead of the amount of P282 stated in the decision under review.

In connection with the second point, the following additional facts may be stated:

In seeking annulment of Exhibits A and B, Santiago asked for payment of the fruits and products of the land during the time it was in possession of the Bautista sisters. One item of his claim was the amount or P1,372.00. According to the Court of Appeals,

"x x the evidence shows that Pilar Bautista received said amount of P1,372 from the United States Army as lessor of the land in question (Exhibit C). Alejandra Bautista and Isabel Bautista, in their answer, admit having received out of the amount only the sum of P204. Pilar Bautista, on the witness stand, did not deny having received the sum of P1,372 as evidence by the receipt, Exhibit C, as her lawyer objected to the question eliciting information on the matter. As the land, for the use of which the United States Army paid the amount, should have been lawfully in possession of the plaintiff, it is only right that the amounts received by the defendant s on the said account should be paid back to him. Alejandra Bautista and Isabel Bautista should, therefore, each pay to the plaintiff the sum of P102, whereas Pilar Bautista, the sum of P1,168."

It is contended here that this amount should not go to Santiago, because it is not "rents" but "costs of restoration for damages caused to the same parcel of land and all improvements thereon."

Enough to point out that the Court of Appeals declared the money was paid to the Bautistas as "lessor." And this is final. Besides, herein petitioners admitted in their answer that they had received, "the sum of P204.00 representing rental paid by the U.S. Army for the use of the mortgaged property." And as to the remainder, P1,168 which Pilar Bautista was ordered to reimburse, we may not discuss it, because as pointed out by respondents' attorney, she is not one of the petitioners in this instance.

Premises considered, the decision of the Court of Appeals is hereby amended so that t the dispositive part shall read: "and it is hereby ordered that the following damages be paid to plaintiff by the following defendants: Alejandra Bautista fifty two pesos (P52); Isabel Bautista P102; and Pilar Bautista P1,168. No costs in both instances."

Of course petitioners shall have costs in this appeal.

So ordered.

Paras, C.J., Feria, Pablo, Tuason, Montemayor, and Bautista Angelo, JJ., concur.

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.