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Ponente: QUIJANO-PADILLA, J.

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QUIJANO-PADILLA, J.:

On October 29, 2014, petitioners through counsel filed a Very Urgent Motion for Extension of Time to File Petition for Review[1] of the Decision allegedly dated April 1, 2011 of the Office of the Ombudsman (Visayas) in Administrative Case OMB-V-A-08-0087-C for Grave Misconduct.

In the said motion, petitioners through counsel alleged that they received the assailed Decision on October 14, 2014 and thus, pursuant to Section 4, Rule 43 of the Rules of Court, they have until October 29, 2014 to file the Petition for Review.

Moreover, counsel for the petitioners posited that he needs more time to research and draft the pleading as he is a newly engaged counsel. He also stressed his heavy workload as a reason for his inability to finish and file the required petition on the allotted fifteen-day period, which ends on October 29, 2014. For this reason, counsel begs for an extension of fifteen (15) days from October 29, 2014 within which to file the Petition for Review, as enunciated by Section 4 of Rule 43 of the Rules of Court.

Not yet satisfied with the initial request of a fifteen-day period of extension, counsel of the petitioners further requested for an additional fifteen (15) days extension within which to file the petition, or for a total of thirty (30) days, invoking as support the last sentence of Section 4, Rule 43 of the Rules of Court. Counsel explained that aside from having to familiarize himself with the case, he also would not be able to focus on it for a substantial number of days, as he has a previously scheduled trip[2] to Japan from November 5 to 13, 2014. With the above-mentioned reasons, counsel asks for this Court's indulgence to grant the thirty (30) day extension to file the Petition for Review.

On this score, the Court deems it best to emphasize the last part of Section 4, Rule 43 of the Rules of Court, which states as follows:

Section 4. Period of appeal. The appeal shall be taken within fifteen (15) days from notice of the award, judgment, final order or resolution, or from the date of its last publication, if publication is required by law for its effectivity, or of the denial of petitioner's motion for new trial or reconsideration duly filed in accordance with the governing law of the court or agency a quo. Only one (1) motion for reconsideration shall be allowed. Upon proper motion and the payment of the full amount of the docket fee before the expiration of the reglementary period, the Court of Appeals may grant an additional period of fifteen (15) days only within which to file the petition for review. No further extension shall be granted except for the most compelling reason and in no case to exceed fifteen (15) days. (emphasis supplied)

Indubitably, the last sentence of the rule allows for an additional extension of time to file the necessary petition

but only for the most compelling reason. In the case at bench, We do not find the reason proffered by petitioner's counsel as compelling enough to justify an extension of thirty (30) days as contemplated by the rules.

First and foremost, with regard to the initial extension of fifteen (15) days, it must be stressed that jurisprudence is replete with pronouncements that heavy workload is not considered a justifiable excuse for the suspension of the rules. Moreover, as to the additional fifteen (15) days extension, it has not escaped the attention of the Court that counsel himself admitted^[3] not having advised the petitioners of his impending trip right from the start of his engagement. Counsel should have been prudent and candid enough to have stated such a fact to his clients. Furthermore, We view counsel's acceptance of the case, despite his scheduled trip, an indication of his capability and capacity to file the petition on time.

By analogy, the principle elucidated in *Barangay Dasmarias thru Barangay Captain Ma. Encarnacion R. Legaspi v. Creative Play Corner School*^[4] is instructive on this matter, thus:

From the above, it is clear that the CA, after it has already allowed petitioner an extension of 15 days within which to file a petition for review, may only grant a further extension when presented with the most compelling reason but same is limited only to a period of 15 days. Thus, when the CA denied petitioner's Second Motion for Extension of five days, it was merely following the abovementioned provision of the rules after it found the reason for the second extension as not compelling. And, considering that the CA has already sufficiently explained how it was able to arrive at the conclusion that there is no compelling reason for such second extension, we deem it unnecessary to repeat the same especially since we are in total agreement with the ratiocination of the CA.

As to petitioner's invocation of liberal application of the rules, we cannot heed the same. "It is true that litigation is not a game of technicalities and that the rules of procedure should not be strictly followed in the interest of substantial justice. However, it does not mean that the Rules of Court may be ignored at will. It bears emphasizing that procedural rules should not be belittled or dismissed simply because their non-observance may have resulted in prejudice to a party's substantial rights. Like all rules, they are required to be followed except only for the most persuasive of reasons."^[5] (emphasis supplied)

Guided by the preceeding jurisprudence, We therefore cannot allow the thirty-day extension prayed for by herein petitioners.

Anent thereto and considering that the original fifteen-day period to file the petition for review, pursuant to Section 4, Rule 43 of the Rules of Court has already lapsed and no petition has been filed by herein petitioners, the Court regrettably is left with no other recourse, but to dismiss the instant appeal.

Finally, We take this opportunity to emphasize that courts are not duty bound or expected to grant every motion for extension of time filed by the parties, most especially when the reason thereof is anchored upon exceptions to the general rule. Hence, counsels, as well as litigants are reminded of their responsibility to verify with the courts the status of their motions, to avoid dismissal of their cases due to the non-filing of the required pleadings on time.

WHEREFORE, in view of the foregoing, the petitioners' Very Urgent Motion for Extension of Time to File Petition for Review is DENIED for lack of merit. Accordingly, the instant case is hereby DISMISSED for failure to file the petition for review within the reglementary period, in accordance with Section 4, Rule 43 of the Rules of Court.

SO ORDERED.

Hernando Chairperson and Azcarraga-Jacob, JJ., concur.

[1] Rollo, pp. 3-11.

[2] See Itinerary Receipt, rollo, p. 11.

[3] See paragraph 10 of the Very Urgent Motion for Extension of Time to File Petition for Review, rollo, p. 6.

[4] G.R. No. 169942, January 24, 2011.

[5] Barangay Dasmarinas thru Barangay Captain Ma. Encarnacion R. Legaspi v. Creative Play Corner School, G.R. No. 169942, January 24, 2011, citing Ramos v. People of the Philippines, G.R. No. 171565, July 13, 2010.

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