

**JOAQUIN UYPUANCO, YANG SEPENG AND ESTEBAN UY,
PETITIONERS, VS. HON. JOSE N. LEUTERIO AS JUDGE OF THE COURT
OF FIRST INSTANCE OF MANILA, AND STATE FINANCING
CORPORATION, RESPONDE...**

G.R. No. L-22706. March 28, 1969

Ponente: ZALDIVAR, J.

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ZALDIVAR, J.:

Herein petitioners are the defendants in Civil Case No. 51046 entitled "State Financing Corporation versus Joaquin Uypuanco, Yang Sepeng and Esteban Uy", in the Court of First Instance of Manila, Branch II, presided by the respondent Judge, the Hon. Jose N. Leuterio. The plaintiff in the case - herein respondent State Financing Corporation - on July 25, 1962, filed a complaint against the defendants - herein petitioners - for the collection of the sum of P5,663.50, exclusive of interest and costs. While the case was pending in the court below, and after the issues in the case had been joined, Republic Act No. 3828 was enacted on June 22, 1963, giving the municipal courts and city courts the exclusive jurisdiction to try cases in which the value of the subject matter or amount of the demand does not exceed ten thousand pesos, exclusive of interests and costs; and giving to Courts of First Instance original jurisdiction in all cases in which the demand, exclusive of interest, or value of the property in controversy amounts to more than ten thousand pesos. On December 18, 1963, therein defendants filed a motion to dismiss the case upon the ground that the Court of First Instance of Manila no longer had jurisdiction over the subject matter of the case. The motion was denied by respondent Judge on December 21, 1963 for lack of merit. A motion for reconsideration filed on January 3, 1964 was also denied on January 30, 1964.

Alleging that the respondent Judge would continue trying the case in spite of the fact that the Court of First Instance of Manila did not have jurisdiction, and that there was no appeal, nor any plain, speedy and adequate remedy in the ordinary course of law against the aforementioned orders of respondent Judge, therein defendants filed before this Court the present petition for certiorari and prohibition with preliminary injunction praying, among others, that a writ of preliminary injunction restraining the respondent Judge from trying said Civil Case No. 51046 be issued, that the orders of respondent Judge denying the motion to dismiss and the motion for reconsideration be set aside, and that the court presided by respondent Judge be declared without jurisdiction to try said civil case.

This Court issued the writ of preliminary injunction prayed for, on April 16, 1964, restraining the respondent Judge from trying Civil Case No. 51046 during the pendency of this case.

The only issue raised by petitioners is whether or not the respondent Judge of the Court of First Instance of Manila had jurisdiction to try said Civil Case No. 51046, which was pending before his court when Republic Act No. 3828 was enacted.

Incidentally herein respondents, in their answer, maintain that petitioners' motion to dismiss in the court below was correctly denied because the motion to dismiss was filed out of time, it having been filed when the issues had

already been joined. This contention of respondents is without merit. It has been consistently held by this court that the question of jurisdiction may be raised at any state of the proceedings.[1]

Anent the main issue, the rule is well settled that the jurisdiction of a court is determined by the statute in force at the time of the commencement of the action, and that jurisdiction once acquired continues until the case is finally terminated.[2] A case with facts more or less analogous to those of the instant case was recently decided by this Court. In the case of Republic of the Philippines versus Central Surety and Insurance Company, et al.[3], plaintiff-appellee's demand was for P6,000.00, which amount, at the time of the filing of the complaint on June 20, 1963, under Section 44 (c) of Republic Act No. 296, was within the jurisdiction of the Court of First Instance of Manila. It was the contention of defendant-appellant that the Court of First Instance of Manila lost jurisdiction over the subject matter when Republic Act No. 3828 was approved on June 22, 1963, and the case should have been remanded to the city court. In resolving this issue, on appeal, this Court, speaking through Mr. Justice Fred Ruiz Castro, said:

"Upon the second issue, it is insisted that the trial court had no jurisdiction over the subject-matter of the action because the total amount involved is only P6,000 (P5,000 under the bond and P1,000 as attorney's fees), a court of first instance being vested with jurisdiction only over cases in which the demand, exclusive of interest, or the value of the property in controversy, exceeds P10,000, pursuant to section 44 of Republic Act 296, as amended by Republic Act 3828 which took effect on June 22, 1963. Although the present action was filed on June 20, 1963, two days before the effectivity of Republic Act 3828 which broadened the jurisdiction of municipal and city courts to include cases in which the demand, exclusive of interest, or the value of the property in controversy, does not exceed P10,000, it is nonetheless argued that the court's jurisdiction over the case was lost on June 22, 1963, when Republic Act 3828 took effect, and therefore the case should have been remanded to the municipal court.

"We disagree. It is not disputed that the trial court acquired jurisdiction over the subject-matter on June 20, 1963 when the complaint was filed with it. It is of no moment that summons was served and that the case was heard and decided after the effectivity of Republic Act 3828, because the rule is firmly entrenched in our law that jurisdiction once acquired continues until the case is finally terminated." [4]

PREMISES CONSIDERED, the instant petition for certiorari and prohibition should be, as it is hereby dismissed, and the writ of preliminary injunction issued by this Court on April 16, 1964 is dissolved. The court a quo shall proceed to try its Civil Case No. 51046. Costs against petitioners.

IT IS SO ORDERED.

Concepcion, C.J., Reyes, JBL, Dizon, Makalintal, Sanchez, Ruiz Castro, Fernando, Capistrano, Teehankee, and Barredo, JJ., concur.

[1] People vs. Que Po Lang, 94 Phil. 640; Juanillo vs. De la Rama, 74 Phil. 43; Villa vs. Ibañez, et al., 88 Phil. 402; Commissioner of Internal Revenue vs. Villa, et al., L-23988, January 2, 1968, 22 SCRA 3.

[2] People vs. Fontanilla, L-25354, June 28, 1968; Aquisap vs. Basilio L-21293, Dec. 29, 1967; Macondray & Co. Inc., et al. vs. Yangtze Ins. Ass'n. Ltd., et al., 51 Phil. 789, 794; Rilloraza vs. Arciaga, L-23848, Oct. 31, 1967; People vs. Pegarum, 58 Phil. 715, 717.

[3] G. R. No. L-27802, October 26, 1968.

[4] Citing the cases of Pamintuan vs. Tigalo, 53 Phil. 1; Philippine Land-Air-Sea Labor Union (PLASLU), Inc. vs. CIR, 93 Phil. 747; Tuvera vs. de Guzman, L-20547, April 30, 1965; Rizal Surety, Inc. vs. Manila Railroad

Co., L-20875, April 30, 1966; Insurance Co. of North America vs. U.S. Lines Co., et al., L-21021, May 27, 1966; and People vs. Paderna, L-28518, Jan. 29, 1968, 1968A PHILD 261, 22 SCRA 273.

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