

**ANGEL JEREOS, PETITIONER, VS. HON. COURT OF APPEALS,
SOLEDAD RODRIGUEZ, FELICIA R. REYES, JOSE RODRIGUEZ, JESUS
RODRIGUEZ, JR., ROBERTO RODRIGUEZ, FRANCISCO RODRIGUEZ,
TERESITA ...**

G.R. No. L-48747. September 30, 1982

Ponente: CONCEPCION, JR., J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/47003508d01d/>

CONCEPCION, JR., J.:

Review on certiorari of the decision rendered by the respondent Court of Appeals in case CA-G.R. No. 60232-R, entitled: "Soledad Rodriguez, et al., plaintiffs-appellants, versus Narciso Jaravilla, et al., defendants; Narciso Jaravilla and Domingo Pardorla, Jr., defendants-appellants; Angel Jereos, defendant-appellee."

Private respondent, Domingo Pardorla, Jr. is the holder of a certificate of public convenience for the operation of a jeepney line in Iloilo City. On February 23, 1971, one of his jeepneys, driven by Narciso Jaravilla, hit Judge Jesus S. Rodriguez and his wife, Soledad, while they were crossing Bonifacio Drive, Iloilo City, causing injuries to them, which resulted in the death of Judge Rodriguez. Narciso Jaravilla was prosecuted and, on his plea of guilty, was convicted of the crime of Homicide and Physical Injuries through Reckless Imprudence and sentenced accordingly. Thereafter, Soledad Rodriguez and her children filed with the Court of First Instance of Iloilo an action for damages against Narciso Jaravilla, Domingo Pardorla, Jr., and Angel Jereos, the actual owner of the jeepney.[1]

Angel Jereos denied ownership of the jeepney in question and claimed that the plaintiffs have no cause of action against him.[2]

Domingo Pardorla, Jr., upon the other hand, claimed that he was only the franchise owner and has nothing to do with the actual operation and supervision of the passenger jeepney in question which is under the actual control, operation and supervision of Angel Jereos who operates the same under the "kabit system." [3]

After appropriate proceedings, the Court of First Instance of Iloilo rendered judgment on October 24, 1978, ordering Narciso Jaravilla and Domingo Pardorla, Jr. to pay, jointly and severally, damages to the plaintiffs. Angel Jereos was exonerated for the reason that the Court "found no credible evidence to support plaintiffs' as well as defendant Pardorla's contention that defendant Jereos was the operator of the passenger jeepney in question at the time of the accident which happened on February 3, 1971, defendant Jereos sold on November 19, 1970 the said passenger jeepney to Flaviana Tanoy as shown in the notarized deed of sale (Exh. 1-Jereos) who later transferred ownership thereof to defendant Pardorla, Jr., whose registration certificate thereof is marked Exh. 3-B-Jereos was issued by the Land Transportation Commission on November 24, 1970." [4]

Both plaintiffs and the defendants Narciso Jaravilla and Domingo Pardorla, Jr., appealed to the Court of Appeals. The plaintiffs contended that the trial court erred in not finding the defendant Angel Jereos jointly and severally liable with the other defendants for the damages incurred by them. The defendants Narciso Jaravilla and Domingo

Pardorla, Jr., however, did not file their brief.

On July 10, 1978, the Court of Appeals rendered a decision, modifying the decision of the trial court, and holding that Angel Jereos is jointly and severally liable with the other defendants for the damages awarded by the trial court to the plaintiffs, for the reason that the rule stated in the case of *Vargas vs. Langcay* (6 SCRA 174) that it is the registered owner of a passenger vehicle who is jointly and severally liable with the driver for damages incurred by passengers or third persons as a consequence of injuries or death sustained in the operation of said motor vehicle, which is invoked by Angel Jereos, cannot be applied in this case since the sale of the jeepney by Angel Jereos to his own sister-in-law, Flaviana Tanoy, and its registration in the name of Domingo Pardorla, Jr., were simulated, fictitious transactions, parts and parcel of a strategem to place Angel Jereos beyond the reach of his creditors past or future.[5]

Angel Jereos appeals from this decision. He contends that the respondent Court of Appeals erred in holding that the sale of the jeep to Flaviana Tanoy was simulated and fictitious and hence, it erred in finding him the actual or real owner of the ill-fated jeepney.

The respondents claim, however, that the issue of whether or not the sale of the vehicle in question to Flaviana Tanoy and thereafter, to Domingo Pardorla, Jr. is simulated or fictitious, is one of fact and may not be reviewed by this Court on appeal.

But, the petitioner counters that the findings of fact of the respondent appellate court is reviewable because the said findings are contrary to those of the trial court which were based upon an evaluation of the credibility of witnesses and should not have been disturbed by the appellate court, following the rule that trial courts are in a better position to judge and evaluate the evidence presented in the course of the trial.

The established rule in this jurisdiction is that findings of fact of the Court of Appeals, when supported by substantial evidence, is not reviewable on appeal by certiorari. Said findings of the appellate court are final and cannot be disturbed by the Supreme Court. However, where the findings of the Court of Appeals are contrary to those of the trial court, a minute scrutiny by the Supreme Court is in order and resort to duly proven evidence becomes necessary.[6]

In the instant case, the Court of Appeals found that the trial court, in exempting Angel Jereos from liability, "relied solely on the deed of sale (Exh. 1-Jereos) - ignoring altogether the testimony of Flora Jaravilla (wife of the driver) and of appellee Domingo Pardorla, Jr." Hence, it had reason to exercise its appellate jurisdiction over the lower courts and modify the findings of fact of the trial court.

The respondent Domingo Pardorla, Jr., in whose line the jeepney in question was registered under the "kabit system" declared that:

"x x x this jeep was formerly attached to Imelda Mirasol then one of the units of Imelda Mirasol met an accident which cost many lives. Now, Angel Jereos was afraid that later on his jeep might be attached since there is a pending case against Mirasol. Now according to Angel Jereos he went to see Imelda Mirasol and asked her to execute a deed of sale in favor of Angel Jereos. Now, when Angel Jereos came to me and asked if there is still vacancy in my line I told him there is. He told me that his jeep will be transferred under my line. I told him yes, prepare the papers. Now, after he has prepared the papers and he came back to me he told me he will just put it under the name of Flaviana Tanoy, his sister-in-law but I asked him that cannot be, what is your reason. According to him so that later on it can be hardly traced when something wrong with the case of Imelda Mirasol comes, then I will just put it under the name of Flaviana Tanoy, my sister-in-law but the jeep is still mine that is why I am the one who is paying you."

His testimony is corroborated by Adriano Saladero, an employee of Pardorla, Jr., to whom Angel Jereos pays the

monthly dues for the registration of his jeepneys under the certificate of public convenience issued to Pardorla, Jr., and by Flora Jaravilla, the wife of the driver of the jeepney, who categorically stated that the jeepney driven by her husband, Narciso Jaravilla, was owned by Angel Jereos to whom they pay a daily "boundary" of P16.80; and that they park the said jeepney near the house of Angel Jereos after returning it at night.

Finally, the petitioner, citing the case of *Vargas vs. Langcay*,^[7] contends that it is the registered owner of the vehicle, rather than the actual owner, who must be jointly and severally liable with the driver of the passenger vehicle for damages incurred by third persons as a consequence of injuries or death sustained in the operation of said vehicle.

The contention is devoid of merit. While the Court therein ruled that the registered owner or operator of a passenger vehicle is jointly and severally liable with the driver of the said vehicle for damages incurred by passengers or third persons as a consequence of injuries or death sustained in the operation of the said vehicle, the Court did so to correct the erroneous findings of the Court of Appeals that the liability of the registered owner or operator of a passenger vehicle is merely subsidiary, as contemplated in Art. 103 of the Revised Penal Code. In no case did the Court exempt the actual owner of the passenger vehicle from liability. On the contrary, it adhered to the rule followed in the cases of *Erezo vs. Jepte*,^[8] *Tamayo vs. Aquino*,^[9] and *De Peralta vs. Mangusang*,^[10] among others, that the registered owner or operator has the right to be indemnified by the real or actual owner of the amount that he may be required to pay as damage for the injury caused.

The right to be indemnified being recognized, re-recovery by the registered owner or operator may be made in any form either by a cross-claim, third-party complaint, or an independent action. The result is the same.

WHEREFORE, the petition should be, as it is hereby, DENIED. With costs against the petitioner.

SO ORDERED.

Barredo, (Chairman), Aquino, Guerrero, Abad Santos, De Castro, and Escolin, JJ., concur.

[1] Rollo, p. 28.

[2] *Id.*, p. 75.

[3] *Id.*, p. 78.

[4] *Id.*, p. 46.

[5] *Id.*, p. 108.

[6] *Gonzales vs. Court of Appeals*, G.R. No. L-37453, May 25, 1979, 90 SCRA 183, and cases cited there-in.

[7] 116 Phil. 478

[8] 102 Phil. 103.

[9] 105 Phil. 949.

[10] 120 Phil. 582.

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.