

**RAMIRO S. DE JOYA, COMPLAINANT, VS. JUDGE AUGUSTUS C. DIAZ,  
METROPOLITAN TRIAL COURT, BRANCH 37, QUEZON CITY,  
RESPONDENT.***A.M. No. MTJ-02-1450 (Formerly OCA IPI No. 01-1040-MTJ). September 23, 2003*

Ponente: VITUG, J.

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The case before the Court originated from a sworn letter-complaint, dated 16 April 2001, filed by Ramiro S. De Joya against Judge Augustus C. Diaz of the Metropolitan Trial Court of Quezon City, Branch 37, for "gross negligence and conduct unbecoming/prejudicial to the service." De Joya averred that on 20 July 2000, he had filed an unlawful detainer case, docketed Civil Case No. 24930, against the spouses Lorenz and Rosana Hornillos. The case was raffled to the sala of respondent Judge. The defendant-spouses failed to file any responsive pleading, prompting De Joya to file a motion for summary judgment in accordance with the rules on summary procedure. The spouses also failed to attend the hearing on the motion and in an order, dated 29 September 2000, respondent Judge granted the motion for summary judgment and considered the case submitted for decision. Respondent Judge, however, did not render any decision despite the lapse of seven months from the submission of the case for resolution.

In his comment, dated 27 June 2001, respondent Judge branded the complaint as being baseless as he had already decided the case on 05 February 2001 and a copy of the decision so mailed to complainant's counsel on 21 March 2001. In his supplemental comment of 25 March 2002, respondent Judge explained that his delay in rendering his decision in Civil Case No. 24930 was the result of an oversight due to the volume of work that he and his staff had to handle. He reported his caseload to be as follows: September 2000 – 4,605 cases; October 2000 – 4,507 cases; November 2000 – 4,502 cases; December 2000 – 4,473 cases; January 2001 – 4,395 cases and February 2001 – 4,472 cases. Respondent Judge sought the Court's understanding and indulgence, and he made an assurance that he would be vigilant in monitoring and deciding his cases.

In a sworn letter, dated 30 July 2001, complainant informed the Court that, after a careful and deliberate re-examination of the factual circumstances which led to the filing of this case, he came to realize that the same was a product of miscommunication. Complainant manifested his withdrawal of the complaint and requested the Court to consider the case closed and terminated.

In a memorandum to the Court, the Office of the Court Administrator found respondent Judge liable for inefficiency for his failure to timely resolve Civil Case No. 24930; it recommended that he be fined in the amount of P1,000.00.

Prefatorily, the Court must reiterate the rule that mere desistance on the part of the complainant does not warrant the dismissal of an administrative complaint against any member of the bench and the Judiciary.[1] The withdrawal of a complaint, or the desistance of a complainant, does not divest the Court of its jurisdiction nor strip it of its power to determine the veracity of the charges made and to discipline, if the result of its investigation

warrants, an erring respondent.[2] The Court's interest in the affairs of the judiciary is a paramount concern that knows no bounds.[3]

Civil Case No. 24930 called for a summary procedure that should underscore the need for an expeditious resolution of cases of this nature. Civil Case No. 24930 was submitted for decision on 29 September 2000, and it should have been decided within 30 days therefrom. It was only on 05 February 2001, however, when a decision on the case was ultimately rendered.

Decision-making is a primordial and by far the most important duty of a member of the bench.[4] The Code of Judicial Conduct mandates that a judge must dispose of the court's business promptly and to act on cases pending before him within the prescribed periods therefor.[5] A judge's failure to observe time prescriptions for the rendition of judgments in derogation of an otherwise speedy administration of justice constitutes a ground for administrative sanction.[6] The Court is not unaware of, and certainly not without sympathy to, the heavy caseload of most judges. Thus, as it has so often stated in a number of occasions, all that a judge has to do is to request for additional time to decide cases, and such requests, if meritorious, are almost invariably granted by the Court.[7]

WHEREFORE, for inefficiency in his failure to decide Civil Case No. 24930 within the prescribed period, Judge Augustus C. Diaz is imposed a FINE of One Thousand (P1,000.00) Pesos, as so recommended by the Office of the Court Administrator, with a warning that a similar infraction in the future will be dealt with severely.

**SO ORDERED.**

Davide, Jr., C.J., (Chairman), and Ynares-Santiago, JJ., concur.

Carpio, J., no part, related to respondent judge.

Azcuna, J., on sick leave.

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[1] Young v. Mapayo, A.M. No. RTJ-00-1552, 31 May 2000, 332 SCRA 289.

[2] Marcelino v. Judge Singson, Jr., A.M. No. MTJ-94-962, 24 April 1995, 243 SCRA 685.

[3] Ibid.

[4] Re: Report on the Judicial Audit Conducted in the RTC-Branch 37, Lingayen, Pangasinan, A.M. No. 99-11-470-RTC, 24 July 2000, 336 SCRA 344.

[5] Millare v. Valera, A.M. No. MTJ-99-1187, 15 February 2000, 325 SCRA 434.

[6] Farrales v. Camarista, A.M. No. MTJ-99-1184, 02 March 2000, 327 SCRA 84.

[7] Report on the Judicial Audit Conducted in RTC, Branches 61 & 63, Quezon; MTC-Calauag, Quezon & Tagkawayan, Quezon, A.M. No. 98-8-262-RTC, 21 March 2000, 328 SCRA 543.

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