

ALEJANDRO DEPOSITARIO, PETITIONER-APPELLEE, VS. CLAUDIO HERVIAS, RESPONDENT-APPELLANT.*G.R. No. L-44337. April 28, 1983*

Ponente: PLANA, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/4ede48d08ffb/>**PLANA, J.:**

Having obtained a judgment from the Court of Agrarian Relations (Bacolod City) against Claudio Hervias in the amount of P1,090.98 representing his share in sugar production plus P300.00 attorney's fees, and having failed to secure its satisfaction by motion within five years from entry of judgment, Alejandro Depositario filed an action for the revival of said judgment with the City Court of Bacolod. The defendant moved for the dismissal of the case on the ground that the City Court had no jurisdiction over the same, which was a money claim arising from agrarian relations and therefore within the exclusive jurisdiction of the Court of Agrarian Relations. Sustaining the motion, the City Court dismissed the case.

Thereafter, the plaintiff filed the same revival case with the Court of Agrarian Relations at Bacolod City (CAR Case No. 2503). This time, defendant Hervias made a complete turn-about, contending that the Court had no jurisdiction over the case which was a pure money claim which arose, not from agrarian relations, but by virtue of a final judgment. The Court denied the motion and thereafter rendered judgment for the plaintiff, ordering the defendant to pay the amount of the revival judgment (P1,390.98), P500.00 attorney's fees and costs of suit. A motion for reconsideration was filed, but it was denied.

Thence, an appeal was taken to the Court of Appeals which, in turn, certified the case to this Court as one involving solely a question of law.

Did the Court of Agrarian Relations err in ruling that it had jurisdiction over the case and rendering judgment thereon? Appellant maintains that since the action was for revival of judgment, the same is a new and original action, i.e., a pure money claim not arising from agrarian relations and therefore outside the jurisdiction of the Courts of Agrarian Relations.

Appellant's duplicity deserves the outright rejection of his claim. A party will not be allowed to make a mockery of justice by taking inconsistent positions which, if allowed, would result in brazen deception. The doctrine of estoppel bars a party from trifling with the courts and flaunting the elementary rules of right dealing and good faith. (Crisostomo et al. vs. Court of Appeals et al., 32 SCRA 54; People vs. Acierto, 92 Phil. 534.)

At any rate, when the court a quo took cognizance of CAR Case No. 2503, the prevailing legislative policy was to confine agrarian cases as well as their incidents within the exclusive jurisdiction of the Courts of Agrarian Relations. Thus, the Agrarian Land Reform Code sweepingly gave the Courts of Agrarian Relations original and exclusive jurisdiction over "all cases and actions involving matters, controversies, disputes or money claims arising from agrarian relations" and endowed the said courts with all the powers and prerogatives inherent in or belonging to the Courts of First Instance. (Republic Act 3844, Sections 154-155.) Therefore, following the ruling in *Babula Vda. de Luding vs. Borromeo* (100 SCRA 432), the said Courts had exclusive jurisdiction over actions

to revive and enforce their own final judgments.

The judgment under review was promulgated way back in 1974. It is high time that the just claim of the appellee, which is but a modest amount, be satisfied without further delay.

WHEREFORE, upon the finality of this decision, the Clerk of Court of this Division is directed to immediately issue a writ of execution directly to the Sheriff, c/o the Clerk of Court, Regional Trial Court, at Bacolod City for the satisfaction of the judgment in CAR Case No. 2503. Costs against the appellant.

SO ORDERED.

Teehankee (Chairman), Melencio-Herrera, Vasquez, Relova and Gutierrez, Jr., 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.