

AGAPITO ALAJAR, ET AL., PETITIONERS AND APPELLANTS, VS. HON. COURT OF INDUSTRIAL, RELATIONS AND CIRILO P. BAYLOSIS, ET AL., RESPONDENTS AND APPELLEES. BUREAU OF LANDS, INTERVENOR.

G.R. No. L-8174 and L-8280-8286. October 08, 1955

Ponente: REYES, J.B.L., J.

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REYES, J.B.L., J.:

This is a petition for certiorari to review the decision of the Court of Industrial Relations in eight tenancy cases (Nos. 871-R to 878-R of that Court) wherein it ordered the division of the palay produce of the lands in question for the crop year 1950-1951 between petitioners herein (tenants) and respondents Cirilo P. Baylosis, et al. (landlords), on the ratio of 70-30 in favor of the tenants, the quantity of the harvest of each landholding to be based on the estimates of the number of cavaness produced by each, as listed in the decision (Annex G, Petition). It is claimed by petitioners that the Court below acted with grave abuse of discretion in estimating the harvest in terms of cavaness instead of cans, allegedly in complete disregard of the decision of the Court of First Instance of Batangas in Expropriation Proceedings No. 84, and of this Court in G. R. L-6191.[*]

It appears that the landholdings involved herein formed part of the tracts of land which the government sought to expropriate in Expropriation Proceedings No. 84 of the Court of First Instance of Batangas for resale to the tenants. The Batangas Court decided in favor of the expropriation and ordered the transfer of the lands in question to the Bureau of Lands. On appeal to this Court, however, the expropriation proceedings were dismissed (G. R. L-6191). These tenancy cases arose before the filing of the expropriation proceedings; and as the Court of Industrial Relations found after trial that the tenants-defendants harvested their palay produce for the crop year 1950-1951 before the transfer of their landholdings to the Bureau of Lands in Expropriation Proceedings No. 84, said Court ordered the division of the harvest on the ratio of 70-30 in favor of the tenants on the basis of the estimates of the number of cavaness produced in each landholdings submitted by the landlords. It is this decision that is now the subject of the present petition.

The petition is patently without merit. In the first place, it is not even sufficient in form and substance to justify the issuance of the writ of certiorari prayed for. It charges that the Court of Industrial Relations abused its discretion in disregarding the decision of the Court of First Instance of Batangas in Expropriation Proceedings No. 84 and of this Court in G. R. L-6191; yet it does not attach to the petition the decisions allegedly violated by the Court below and point out which particular portion or portions thereof have been disregarded by the respondent Court.

We have taken it upon ourselves to look up and consult the decisions referred to; and have found that neither our decision in G. R. L-6191, nor the decision of the Court of First Instance of Batangas in Expropriation Proceedings No. 84 (which was reversed in G. R. L-6191) said anything about harvests, or the division thereof. We are thus constrained to agree with respondents-appellees that these certiorari proceedings were instituted merely to further

delay the division of the harvest between the parties which has been pending litigation since 1950.

Wherefore, the petition for certiorari is dismissed. Petitioners shall pay the costs. So ordered.

Bengzon, Acting C.J., Padilla, Montemayor, Reyes, A., Jugo, Bautista Angelo, Labrador and Concepcion, JJ., concur.

[*] Republic of the Philippines vs. Baylosis, et al. (96 Phil., 461).

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