

USAFFE VETERANS ASSOCIATION, INC., (REPRESENTING OVER 30,000 PA USAFFE VETERANS OF WORLD WAR II AS CLAIMANTS FOR ARREARS IN PAY) PLAINTIFF AND APPELLANT, VS. THE TREASURER OF TH...

G.R. No. L-18393. December 17, 1966

Ponente: DIZON, J.

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DIZON, J.:

This is an appeal taken by the Usaffe Veterans Association, Inc. from (a) the order dated January 19, 1960 of the Court of First Instance of Manila in Civil Case No. 24277 entitled "Usaffe Veterans Association, Inc., etc. vs. The Treasurer of the Philippines, et al." denying its motion for new trial, and from (b) the orders of the same court dated November 26, 1960 and March 7, 1961 denying appellant's motion to lift the order of January 19, 1960, and its motion for reconsideration thereof, respectively. The Court based the orders appealed from upon the following grounds, "first, that the decision of the Honorable Supreme Court promulgated on June 30, 1959 (G. R. No. L-10500) affirming the decision of this court in the above-entitled case has already become final and, second, that the alleged newly discovered evidence sought to be introduced is not new and could have been produced at the trial with the exercise of due diligence, and furthermore, such evidence even if admitted would not alter or change the decision".

Sometime in October 1954, appellant, for itself and on behalf of more than 30,000 Filipino veterans of World War II, ex-members of the United States Armed Forces in the Far East (USAFFE), commenced an action in the Court of First Instance of Manila to declare illegal the so-called Romulo-Snyder Agreement (1950) and all payments made thereunder, and to restrain the Treasurer of the Philippines, the Governor of the Central Bank, the Secretary of Finance and the Auditor General from disbursing any funds in the National Treasury in pursuance of said agreement.

After due trial, the lower court rendered judgment upholding the validity of said agreement. This judgment was affirmed by Us on appeal on June 30, 1959 (G. R. No. L-10500).

After our decision had become final and executory, appellant, on December 28, 1959, filed with the lower court a motion for new trial based on the following grounds: (1) that the original decision of the court, as affirmed by the Supreme Court, is contrary to law; (2) that the evidence of record is contrary to and does not support the affirmed decision of the court; (3) that on October 5, 1959, the Auditor General filed a manifestation with the Supreme Court sustaining the views of the Treasurer of the Philippines, which manifestation was a virtual confession of judgment and which, if considered, would alter the result.

On January 19, 1960 the lower court issued the appealed orders.

Upon the undisputed facts stated above, it is manifest that the present appeal is frivolous and entirely without merit.

The main issue raised is whether or not the trial court erred in denying appellant's motion for new trial, upon the ground that the decision rendered by Us in G. R. No. L-10500 had become final and executory.

It is elementary—so elementary, indeed, that even freshmen law students know it—that an Inferior court has no legal authority to set aside a final and executory decision of this Court and grant a new trial. In *People et al., vs. Vera*, We said the following:

"As already observed by this court in *Shioji vs. Harvey* ([1922, 43 Phil., 333, 337), and reiterated in subsequent cases, 'if each and every Court of First Instance could enjoy the privilege of overruling decisions of the Supreme Court, there would be no end to litigation, and judicial chaos would result.' A becoming modesty of inferior courts demands conscious realisation of the position that they occupy in the interrelation and operation of the integrated judicial system of the nation."

WHEREFORE, the orders appealed from are affirmed, with double costs imposed upon appellant.

Concepcion, C.J., Reyes, J.B.L., Barrera, Regala, Makalintal, Bengzon, J.P., Zaldivar, Sanchez and Ruiz Castro, JJ., concur.

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