

**ERNESTO ROA AND CONSTANCIA SAVILLA, PETITIONERS, VS.
HONORABLE EDMUNDO P. PINTAC, IN HIS CAPACITY AS PRESIDING
JUDGE, REGIONAL TRIAL COURT, BRANCH 15, OZAMIS CITY, AND
HEIRS OF ...**

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BORJA, J.,:

This is a motion[1] of petitioners seeking reconsideration of this Court's Decision,[2] promulgated on October 25, 2012, which denied the petition for failure to raise any jurisdictional issue.

In their motion for reconsideration, petitioners argue that the trial court had no jurisdiction to issue the assailed September 21, 2006 order,[3] and the November 10, 2006 Order denying petitioners' motion for reconsideration.[4] Petitioners contend that the trial court violated Section 6, Rule 39,[5] of the Rules of Court when it ordered the release of the payment of just compensation to the herein private respondents considering that it was already time barred. The execution of judgment has already attained finality for more than ten (10) years without any motion for execution on the part of private respondents.[6]

The Court is not swayed.

The prescriptive period for the enforcement of a judgment by ordinary action is ten (10) years computed from the time the judgment became final. In the case at bench, the execution of the payment of just compensation became impossible to enforce because there was a conflicting claim of ownership of the expropriated property between the petitioners and private respondents.[7] The just compensation was deferred by the public respondent which was stated in the assailed September 21, 2006 Order, thus-

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In its Order of October 28, 1994, the Court deferred issuance of an order for the delivery of the deposited amount to any of the defendants because of their conflicting claims of ownership over the expropriated property. At that time, the Decision of the DARAB had been elevated to the Court of Appeals. As it is, the Court of Appeals had already rendered its Decision in favor of the Heirs of Mateo Bernad Sr. and there is no denying that the Decision of the Court has long attained finality.[8]

Since the execution of the judgment in the expropriation case was held in abeyance pending determination of the issue on ownership of the property, the running of the prescriptive period was interrupted.

Hence, the trial court acted without abuse of discretion when it granted the motion to release the just compensation in favor of private respondents based on the decision declaring private respondents to be the owner of the property which has also attained finality.

Anent the other grounds raised,[9] what petitioners seek is the correction by this Court of a supposed error of judgment by the lower court. An error of judgment does not necessarily involve an error of jurisdiction. As held in *Landbank of the Philippines v. Court of Appeals*,[10] thus -

The special civil action for certiorari is a remedy designed for the correction of errors of jurisdiction and not errors of judgment. The *raison d'être* for the rule is when a court exercises its jurisdiction, an error committed while so engaged does not deprive it of the jurisdiction being exercised when the error is committed. If it did, every error committed by a court would deprive it of its jurisdiction and every erroneous judgment would be a void judgment. In such a scenario, the administration of justice would not survive. Hence, where the issue or question involved affects the wisdom or legal soundness of the decision — not the jurisdiction of the court to render said decision — the same is beyond the province of a special civil action for certiorari.

WHEREFORE, the motion for reconsideration is hereby DENIED.

SO ORDERED.

Lopez and Badelles, JJ., concur.

[1] Rollo, pp. 268-284.

[2] Rollo, pp. 246-255.

[3] Rollo, pp. 21-23.

[4] Rollo, p. 24.

[5] Sec. 6. Execution by motion or by independent action. -A final and executory judgment or order may be executed on motion within five (5) years from the date of its entry. After the lapse of such time, and before it is barred by the statute of limitations, a judgment may be enforced by action. The revived judgment may also be enforced by motion within five (5) years from the date of its entry and thereafter by action before it is barred by the statute of limitations.

[6] Annex “C”, Rollo, pp. 25-26.

[7] *Ma. Valentina Santana-Cruz v. Court of Appeals, et al.*, G.R. No. 120176. July 20, 2001.

[8] Rollo, p. 22.

[9] Rollo, pp. 273-284.

[10] *Landbank of the Philippines v. Court of Appeals*, GR 129368, August 25, 2003. 409 SCRA 455.

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