

FELIX SANDOVAL, PETITIONER, VS. THE HONORABLE COMMISSION ON ELECTIONS, RESPONDENT.

G.R. No. L-16150. April 29, 1960

Ponente: GUTIERREZ DAVID, J.

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GUTIERREZ DAVID, J.:

This is a petition for certiorari to review a resolution of the Commission on Elections not giving due course to the certificate of candidacy of herein petitioner, Felix Sandoval, a candidate during the last elections for councilor of Binmaley, Pangasinan. At the commencement of the proceedings in this Court, a writ of preliminary injunction was issued ordering the Commission on Elections to give due course to petitioner's certificate of candidacy and to consider and count the votes cast in his favor on November 10, 1959.

It appearing from the record now before us, however, that the petitioner was not elected councilor, the question on whether or not his certificate of candidacy was filed in accordance with law has become moot and purely academic.

In view whereof, the petition should be, as it is hereby dismissed. Without costs.

Paras, C .J., Bengzon, Bautista Angelo, Labrador, Concepcion, Endencia, and Barrera, JJ., concur.

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