

STANDARD CHARTERED BANK, PETITIONER, VS. HON. JUDGE CESAR O. UNTALAN IN HIS CAPACITY AS PRESIDING JUDGE OF BRANCH 149 OF THE REGIONAL TRIAL COURT OF MAKATI, PHILIPPINE INVESTMEN...

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PAREDES, J.:[*]

THIS RESOLVES the Supplemental Motion to Dismiss[1] filed by private respondent Philippine Investment Two (SPV-AMC), Inc., on the ground that the petition has become moot and academic because public respondent Judge Cesar O. Untalan is no longer the presiding judge of the Regional Trial Court, Branch 149, Makati City; and, that Judge Mona Lisa T. Tabora has taken over the proceedings on corporate rehabilitation.

Petitioner interposed no objection[2] to the Supplemental Motion to Dismiss filed by private respondent Philippine Investment Two (SPV-AMC), Inc.

The nature and purpose of the Petition is to seek the inhibition[3] of public respondent Judge Untalan from hearing the rehabilitation proceedings, docketed as SP PROC. CASE NO. M-6683. In view of the fact that public respondent Judge Untalan had been replaced by Judge Tabora, the instant Petition has, indeed, become functus officio.

WHEREFORE, the Supplemental Motion to Dismiss filed by private respondent Philippine Investment Two (SPV-AMC), Inc., is GRANTED and the Petition is DISMISSED.

Consequently, the pending Motions/Manifestations are NOTED without action.

SO ORDERED.

Didican, (Chairperson), and [**]Corales, JJ., concur.

[*] Acting Senior Member per Office Order No. 461-14-ABR dated November 3, 2014.

[**] Acting Junior Member per Office Order No. 461-14-ABR dated November 3, 2014.

[1] Rollo, pp. 3741-4.

[2] See Comment on the Supplemental Motion to Dismiss, rollo, pp. 3770-4.

[3] Petition for Certiorari, pp.1-2, rollo, pp. 3-4; and the assailed RTC Order dated March 7, 2013, rollo, pp.108-12.

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