

REPUBLIC COMMODITIES CORPORATION, PLAINTIFF, RAUL T. CONCEPCION AND REYNALDO A. CONCEPCION, PLAINTIFF-APPELLANTS, VS. SALUSTIANO OCA AND JOHN DOE, DEFENDANTS-APPELLEES.

G.R. No. L-24995. May 27, 1970

Ponente: MAKALINTAL, J.

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MAKALINTAL, J.:

The antecedent events which gave rise to this appeal are largely a matter of record and substantially undisputed. The order appealed from was issued by the Court of First Instance of Manila (Branch XVI) in its Civil Case No. 59754, finding Raul T. Concepcion and Reynaldo A. Concepcion, president and general manager of the Republic Commodities Corporation, respectively, in contempt of court and imposing upon each of them a fine of P100.00.

On March 19, 1965 the Sheriff of Quezon City, in compliance with a writ of seizure regularly issued by the aforesaid Court in connection with a replevin case earlier filed by the Republic Commodities Corporation, seized from defendant Salustiano Oca 16 of the 19 second-hand "Carrier" air-conditioning units described in the writ. These units were the objects of a conditional sale by the said corporation in favor of defendant, who allegedly de-faulted in the payment of the installments due.

Six (6) days after the articles were seized, or on March 25, 1965 to be exact, the sheriff, not having actually received any notice that defendant Salustiano Oca intended to seek their return, delivered them to plaintiff in accordance with the provisions of section 6, of Rule 60 of the Rules of Court[1]. It later turned out that, unknown to the sheriff, defendant Oca had filed with the lower court the day before, March 24, 1965, and within the 5-day period fixed in the rule aforesaid, a motion for the immediate recall of the order of seizure and at the same time offered a counter-replevin bond for the redelivery of the articles to him pursuant to Section 5 of the same Rule. But because copies of this motion and of the counter bond were received by plaintiff's counsel only on the 27th of March 1965, plaintiff resisted defendant's plea for redelivery, pointing out that inasmuch as copy of the counter bond was not served on plaintiff before it received the seized articles and within the reglementary period of five days, defendant had already lost his right to demand redelivery. This opposition notwithstanding, the lower court granted defendant's motion in an order dated March 31, 1965. Plaintiff filed a motion for reconsideration, which was denied on April 24, 1965.

Plaintiff took no steps to have the order of redelivery and the denial of their motion for reconsideration reviewed by a higher court; and due to its continuous refusal and/or failure to comply, defendant moved on June 29, 1965 that the present appellants[2] be declared in contempt. On July 10, 1965, the Court merely issued a reminder, directing appellants to comply with the March 31 Order. Plaintiff moved for a reconsideration of this reminder, but was turned down in an Order dated July 27, 1965, with a warning of drastic action against appellant's unless the air-conditioning units were redelivered to defendant immediately. On August 11, 1965 the lower court declared them in contempt and imposed upon each of them a fine of P100. Hence this appeal.

Appellants' main argument is that the lower court had no authority to issue the Order of redelivery because copy of the defendant's counterbond was served on plaintiff's counsel beyond the period allowed by the Rules and after the seized articles had been delivered to plaintiff. The argument in reality involves the correctness and propriety of the Order, not the authority or jurisdiction to issue it. The Order may be erroneous, but not for that reason may appellants unilaterally disregard it. Their remedy against such error, or even if indeed the court's jurisdiction is involved, is to seek a review by proper petition before a higher tribunal.

The theory espoused by appellants that a party may, at his own choice, directly disobey a court order which said party believes to be erroneous or beyond the court's authority is fraught with serious consequences. This Court, speaking through Mr. Justice Enrique Fernando, has had occasion to condemn a similar attitude in another case:

"x x x The failure to abide by the orders and processes of judicial x x x agencies x x x gives rise to a serious concern. It engenders at the very least the well-founded suspicion that such an attitude betrays an absence of good faith. It is indicative of a belief at war with all that adjudication stands for.

No one may be permitted to take the law into his own hands. No one, much less the party immediately concerned, should have the final say on the validity or lack of it of one's course of conduct. Centuries of reliance on the judicial process repel such a notion. x x x

"x x x. Such refusal to accord due respect and yield obedience to what a court or administrative tribunal ordains is fraught with much graver consequences. x x x If such a conduct were not condemned, some other group or groups emboldened by the absence of any reproof or disapproval may conduct themselves similarly. The injury to the rule of law may well-nigh be irreparable.

Law stands for order, for the peaceful and systematic adjustment of frictions and conflicts unavoidable in a modern society with its complexities and clashing interests. The instrumentality for such balancing or harmonization is the judiciary and other agencies exercising quasi-judicial powers. When judicial or quasi-judicial tribunals speak, what they decree must be obeyed; what they ordain must be followed. A party dissatisfied may ask for reconsideration and, if denied, may go on to a higher tribunal. As long as the orders stand unmodified, however, they must, even if susceptible to well-founded doubts on jurisdictional grounds, be faithfully complied with." (PAFLU vs. Salvador, G.R. Nos. L-29471 and L-29487, September 28, 1968)

We deem it unnecessary to pass upon the points raised by appellants in their brief, which have to do with the correct interpretation of the Rules applicable to the order of redelivery, not with appellant's liability for contempt by reason of their continued defiance of court authority.

The order appealed from is affirmed, with costs against appellants.

Concepcion, C.J., Reyes, Dizon, Zaldivar, Fernando, Teehankee, Barredo, and Villamor, JJ., concur.
Castro, J., on leave.

[1] "SEC. 6. Disposition of property by officer. - If within five (5) days after the taking of the property by the officer, the defendant does not object to the sufficiency of the bond, or of the surety or sureties thereon, or require the return of the property as provided in the last preceding section; or if the defendant so objects, and the plaintiff's first or new bond is approved; or if the defendant so requires and his bond is objected to and found insufficient and he does not forthwith file an approved bond, the property shall be delivered to the plaintiff. x x x" (Rule 60)

[2] Raul T. Concepcion and Reynaldo A. Concepcion, as president and general manager, respectively, of plaintiff corporation, were the persons called upon to comply with the said Order of March 31, 1965.

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