

OPHELIO CONCINA, JR., PETITIONER, VS. HEIRS OF THE LATE ROGER YU, RESPONDENTS.

Ponente: SALAZAR-FERNANDO, J.

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SALAZAR-FERNANDO, J.:

Before this Court is a Petition for Review under Rule 43 of the 1997 Revised Rules of Civil Procedure assailing the Decision No. 130412[1] dated April 23, 2013 and Resolution No. 1301967[2] dated August 27, 2013 of the Civil Service Commission (CSC) entitled "CONCINA, Ophelio Jr. D., Re: Grave Misconduct", the dispositive portions of which read:

Decision dated April 23, 2013

"WHEREFORE, foregoing premises considered, the appeal of Ex-P/INSP Ophelio D. Concina, Jr., is hereby DISMISSED. Accordingly, the Decision dated December 30, 2010 of the Department of the Interior and Local Government (DILG) and Decision dated July 3, 2008 of the Regional Appellate Board — National Capital Region (RAB-NCR) affirming the Decision dated January 18, 2008 of the Philippine Law Enforcement Board (PLEB), finding him guilty of Grave Misconduct and imposing upon him the penalty of one (1) rank demotion, STANDS."[3]

Resolution dated August 27, 2013

"WHEREFORE, foregoing considered, the Motion for Reconsideration of Ex-P/INSP Ophelio D. Concina, Jr., Police Anti-Crime and Emergency Response (PACER), Philippine National Police, Camp Crame, Quezon City, is hereby DENIED. Accordingly, the Civil Service Commission (CSC) Decision No. 13-0412 dated April 23, 2013 affirming the Decision dated December 30, 2010 of the Department of the Interior and Local Government (DILG) and Decision dated July 3, 2008 of the Regional Appellate Board – National Capital Region (RAB-NCR) which affirmed the Decision dated January 18, 2008 of the Philippine Law Enforcement Board (PLEB), finding Concina guilty of Grave Misconduct and Disgraceful and Immoral Conduct imposing the penalty of one (1) rank demotion, STANDS."[4]

The facts are:

On June 27, 2006, private complainant Roger L. Yu (Roger for brevity), through his counsel, Atty. Raymond Fortun, sent a letter[5] to the People's Law Enforcement Board (PLEB) regarding his intention to file a formal administrative complaint against P/SInsp. Ophelio D. Concina, Jr. (Concina for brevity) for Grave Misconduct and/or Gross Immorality (Adultery), followed by the corresponding Complaint Sheet.[6] In his Complaint-Affidavit[7], private complainant Roger averred that: he and his wife, Jennie Mancilla-Yu (Jennie for brevity) were married[8] on March 19, 2000 at the Church of Saint Augustine in Intramuros, Manila; their son was born a year later on October 29, 2001; when their son was kidnapped in 2005, members of the PNP Police Anti-Crime and Emergency Response (PACER) were assigned to protect him and his wife, and to help them find their child; one of the police officers assigned to their case was petitioner Concina, who is personally known to them as "Jojo"; during the entire course of the kidnapping ordeal, the members of the PACER, especially petitioner Concina, were in close contact with them to coordinate efforts in looking for their son; later on, after the

kidnapping incident, a common friend called him, telling him that he saw Jennie having lunch with a male individual at The Fort in Taguig; Roger's friend even asked him if Jennie had a bodyguard or driver; at that time however, his wife had no bodyguard or driver, which got Roger curious so he tried to follow Jennie whenever he can; on several occasions, around lunch time, he was able to follow his wife from her office at Tektite Towers in Ortigas to the Philippine Public Safety College (PPSC) at Fort Bonifacio; he would see his wife fetch petitioner Concina from PPSC using her white Mazda 3, and they would have lunch at one of the restaurants near MC Home Depot at The Fort; in the latter part of May 2005, upon his wife's suggestion to celebrate the return of their son, their family invited some members of the PACER team, including petitioner Concina, to Boracay where they stayed for four (4) days and three (3) nights; during nighttime, Jennie always went out with the PACER group, with petitioner Concina, to drink at karaoke bars or at the beach; private complainant Roger was left in the hotel room to take care of their son as they had no nanny with them; during their entire stay in Boracay, he noticed that Jennie was always irritated and angry; Jennie readily admitted to him that she had a relationship with petitioner Concina, and that she was angry because petitioner Concina would not leave his girlfriend, PSInsp. Angelie Cablinan of the PNP Intelligence Group, Camp Crame; it turned out that Cablinan caught her boyfriend, petitioner Concina, having an affair with Jennie; Jennie told private complainant Roger that she did not have sexual relations with petitioner Concina and that she already ended their relationship as petitioner Concina chose to be with PSInsp. Cablinan; private complainant Roger told his wife that he already knew of their relationship because he followed them around during lunch break; he told her that for the sake of their son and since she had already ended her relationship with petitioner Concina, he was ready to forgive her indiscretion; and, his wife promised that she will never do the same thing again, for the sake of their son.

Private complainant Roger further stated that: not more than five (5) days after he forgave Jennie, he found out that his wife and petitioner Concina rekindled their relationship; on January 1, 2006, he received several anonymous text messages, urging him to investigate his wife secretly as she had another man; on several instances, he was able to follow Jennie to Camp Crame; during those times, Jennie would pick up petitioner Concina and they would park at some inconspicuous place inside Camp Crame for a length of time; he noticed that the car would rock back and forth, as if his wife and petitioner Concina were doing something inside; private complainant Roger did not approach his wife's car as he was afraid that something bad might happen, considering that petitioner Concina is a police officer; private complainant Roger was able to get videos of his wife and petitioner Concina having sexual intercourse inside her car in Camp Crame on at least two (2) occasions; in March 2006, he was able to follow his wife and petitioner Concina in Pasig until they went inside Victoria Court at Hillcrest; they stayed inside the motel from 12:30 o'clock noon until around 2:30 o'clock in the afternoon; however, he did not dare to confront them because petitioner Concina might use his firearm; thereafter, in May 2006, private complainant Roger remembered the wire-tapping equipment which he and his wife previously installed in their landline in 2003; he decided to reactivate the equipment by inserting new blank tapes to be able to listen to what was being recorded; it was on these occasions that private complainant Roger was able to record conversations between his wife and Dolly, the mistress of Jennie's father, talking about her intimate relations with petitioner Concina; Jennie would tell Dolly in detail about her problems with petitioner Concina, his girlfriend, as well as their sexual encounters; on June 6, 2006, private complainant Roger was able to follow his wife and petitioner Concina to the Crowne Plaza Hotel in Ortigas, where his wife checked-in under her maiden name "Jennie Mancilla", stayed there for several hours and even went back the following morning; later on, while private complainant Roger was looking for something in Jennie's cabinet, he stumbled upon several envelopes underneath her clothes; he looked inside and was not surprised when these envelopes turned out to be Anniversary Greeting Cards for his wife; the cards[9] dated September 12, 2005, October 3, 2005, November 3, 2005, and June 3, 2006, were addressed to "Jen" or "Babe" from a certain "Hon"; this certain "Hon" is petitioner Concina, as private complainant Roger recognized his handwriting; further, Jennie recently had some unusual vaginal

discharge and was using medicine for sexually transmitted disease; he was not the one who transmitted the disease to Jennie as they did not have any sexual intercourse since 2003; petitioner Concina knew fully well that Jennie is private complainant Roger's legal wife, and their actuations of having illicit sexual intercourse support a charge of four (4) counts of adultery.

Private complainant Roger identified his Complaint-Affidavit and its supporting annexes before the PLEB, which was adopted as his direct testimony.[10]

Teresita Ang See (Ang See for brevity), founding Chairperson of the Movement of (sic) Restoration of Peace and Order (MRPO), a non-government organization that addresses anti-kidnapping and kidnapping victims' concerns, executed an Affidavit[11] alleging that: she first came to learn of petitioner Concina's illicit involvement with Jennie through reports of some PACER operatives; on June 21, 2006, she was personally present at the PACER office when private complainant Roger, his counsel, and officers of PACER confronted petitioner Concina about his illicit relationship with Jennie; she personally heard petitioner Concina's admission of having an illicit affair with Jennie; and, she personally confronted petitioner Concina for his conduct unbecoming of an officer and grave abuse of authority in taking advantage of the kidnap victim, Jennie, when she was at her most vulnerable moment.

Ang See identified the affidavit she executed in open court and testified[12] that: private complainant Roger asked her that they meet at the PACER Office in Camp Crame so they could discuss the problem with petitioner Concina; private complainant Roger told her that he had video recordings of the illicit relationship of his wife and petitioner Concina; Ang See learned of their sexual relationship as it was reported to her by one of the former security officers of Jennie; petitioner Concina apologized to her and to his superior officers for having an illicit relationship with Jennie; she confronted petitioner Concina and explained to him all the evidence against them, such as being seen in a hotel, and the videotapes; she even advised him to get a lawyer; she confronted petitioner Concina about the videotape of him and Jennie having sexual relations at the parking lot in Camp Crame; she told him all of these incidents, and he said, "pasensiya na po, talagang nagkaroon kami ng relasyon pero itinigil ko na po"; at that time, they were with his superiors and petitioner Concina was not coerced into giving an answer; Ang See knew of the existence of surveillance tapes, which were taken in a lot of places; she was very direct and blunt in asking petitioner Concina, as she was shocked of what she learned; and, she was fuming mad as petitioner Concina took advantage of a vulnerable kidnap victim.

For her part, Jennie Mancilla-Yu executed an Affidavit[13] stating that: after her husband forgave her last May 2005 for her lapses in judgment, she again broke his trust by carrying on an adulterous relationship with petitioner Concina; she is sorry for all the pain that her husband suffered on account of all her indiscretions and marital infidelity; she admitted having continued her illicit relationship with petitioner Concina from May 2005 until June 2006; and, she and private complainant Roger discussed the matter and he had pardoned and forgiven her for all her past indiscretions.

Atty. Raymond Fortun executed an Affidavit[14] asserting that he personally saw Assistant City Prosecutor Evelyn Pascual Lee of Quezon City ask Jennie if she executed her affidavit out of her own free will, which she answered in the affirmative. Atty. Fortun likewise personally saw Jennie sign freely and voluntarily her affidavit before Assistant City Prosecutor Lee.

Private complainant Roger filed his Formal Offer of Exhibits[15] on March 6, 2007.

Petitioner Concina, on the other hand, filed his Answer with Motion to Dismiss[16] alleging that: he denies all the malicious imputations against him of having an illicit sexual relation with Jennie since April 2005; he met Jennie for a few times, which were all on official business and related to the kidnapping of her son; after the kidnapping

incident, he was assigned as security of Jennie for about a week; gross immorality is not among the offenses cognizable by the PLEB; the factual allegations do not constitute the offense of grave misconduct; assuming for the sake of argument that these allegations are true, there is no grave misconduct as there was no scandalous cohabitation; the charge of misconduct should pertain to the performance of official functions, and not to his private and personal life; and, while he may be found administratively liable, he could not be held guilty for grave misconduct or gross immorality.

On March 14, 2007, petitioner Concina filed his Former Offer of Evidence.[17]

On January 18, 2008, the PLEB rendered a Decision[18] finding petitioner Concina guilty of Grave Misconduct, for which he was meted a penalty of demotion. The PLEB was convinced from Ang See's testimony and the affidavit of Jennie herself that petitioner Concina had an illicit sexual relationship with her. Illicit sexual relationship falls within the ambit of the term "misconduct" defined in Rule VI, Section 2 (c) paragraph 2 of the PLEB Rules of Procedure. Petitioner Concina further aggravated his misconduct when he took advantage of his official position and had an illicit relationship with Jennie at the time when he was the close-in security of the Yu family.

Aggrieved, petitioner Concina filed a Petition on Appeal[19] before the Regional Appellate Board, National Capital Region (RAB-NCR) of the National Police Commission (NAPOLCOM).

On July 3, 2008, the RAB-NCR rendered a Decision[20] dismissing petitioner Concina's appeal for lack of jurisdiction. The RAB-NCR held that the appeal was filed beyond the ten (10)-day reglementary period, noting that petitioner Concina received the Decision on February 6, 2008 but only filed his appeal on February 28, 2008. Thus, for petitioner Concina's failure to comply with the rules on appeal, the January 18, 2008 Decision of the PLEB had already become final and executory.

Petitioner Concina filed a Motion for Reconsideration which was likewise denied by the RAB-NCR in its Resolution[21] dated September 5, 2008. The RAB-NCR noted that it erred in finding that the appeal was personally filed on February 28, 2008, as it turned out that it was filed by mail on February 15, 2008. Nonetheless, the RAB-NCR maintained its denial of the appeal on the ground of petitioner Concina's failure to file a Notice of Appeal under Rule 20, Section 1 of NAPOLCOM Memorandum Circular No. 2007-001.

The case was then elevated by petitioner Concina to the Secretary of the Department of Interior and Local Government (DILG) through a Notice of Appeal[22] and Memorandum on Appeal.[23]

On October 30, 2008, private complainant Roger died in a vehicular accident in Tublay, Benguet.[24]

On December 30, 2010, DILG Secretary Jesse M. Robredo rendered a Decision[25] denying petitioner Concina's appeal for being belatedly filed with the RAB-NCR one (1) month after his receipt of the decision. Petitioner Concina filed a Motion for Reconsideration[26] which was likewise denied by the DILG Secretary in the Resolution[27] dated September 7, 2011.

Undaunted, petitioner Concina thereafter filed a Notice of Appeal[28] and Appeal Memorandum[29] with the Civil Service Commission (CSC).

On April 23, 2013, the CSC rendered the assailed Decision[30] dismissing petitioner Concina's appeal, affirming the rulings of the DILG, the RAB-NCR, and the PLEB which imposed the penalty of one (1) rank demotion. The CSC ruled that the PLEB has concurrent jurisdiction with the PNP over administrative cases filed against its members. Thus, the PLEB properly took cognizance of the complaint of private complainant Roger against petitioner Concina. The CSC likewise found that the appeal of petitioner Concina before the RAB-NCR was filed

out of time.

Petitioner Concina filed a Motion for Reconsideration[31] which was denied by the CSC in the assailed Resolution[32] dated August 27, 2013. The CSC pointed out that in his previous appeal before the RAB-NCR, petitioner Concina failed to file a Notice of Appeal as required under Rule 20, Sections 1 and 2 of NAPOLCOM Memorandum Circular No. 2007-001.

Hence, this Petition for Review based on the following grounds[33]:

A.

RECORDS SHOW THAT PETITIONER'S PETITION ON APPEAL, WHICH CONTAINED ALL THE ALLEGATIONS REQUIRED TO BE STATED IN A NOTICE OF APPEAL UNDER NAPOLCOM MEMORANDUM CIRCULAR 2007-001, WAS FILED BEFORE THE RAB-NCR AND PLEB. WITH ALL DUE RESPECT, THIS IS MORE THAN SUFFICIENT COMPLIANCE WITH THE REQUIREMENTS PRESCRIBED UNDER THE SAID CIRCULAR. HENCE, IT IS RESPECTFULLY SUBMITTED THAT THE DISMISSAL OF HIS APPEAL FOR HIS ALLEGED FAILURE TO PERFECT HIS APPEAL BEFORE THE SAID APPELLATE BOARD CONSTITUTES A REVERSAL (sic) ERROR, WHICH WARRANTS THE EXERCISE BY THE HONORABLE COURT OF ITS APPELLATE JURISDICTION.

B.

IT IS FURTHER RESPECTFULLY SUBMITTED THAT THE RECORDS ARE BEREFT OF ANY CREDIBLE AND COMPETENT PROOF SHOWING PETITIONER'S ALLEGED ILLICIT SEXUAL RELATIONS WITH MS. JENNIE YU, OR, WORSE, SHOWING THAT PETITIONER TOOK ADVANTAGE OF HIS POSITION IN HAVING SUCH ILLICIT AFFAIR. HENCE, WITH ALL DUE RESPECT, THE JUDGMENT OF THE PEOPLE'S LAW ENFORCEMENT BOARD FINDING APPELLANT LIABLE AND DEMOTING HIM ONE RANK LOWER IS WITHOUT BASIS AND WARRANTS A REVERSAL.

The petition is meritorious.

In a nutshell, petitioner Concina contends[34] that: the requirements for the filing of a Notice of Appeal under Rule 20 of NAPOLCOM Memorandum Circular No. 2007-001 had been satisfied through the filing of a Petition on Appeal; appeals should be resolved on their merits instead of technicalities; the Petition on Appeal which he filed before the RAB-NCR contains the essential requirements of a Notice of Appeal under Section 2 (a) of Rule 20; the RAB-NCR, DILG, and CSC overlooked grave and serious errors of fact and law on the part of the PLEB in finding him liable for grave misconduct; the PLEB categorically acknowledged that private complainant Roger failed to substantiate his claim that Jennie and petitioner Concina had an illicit sexual relationship; Ang See merely based her claim of alleged sexual encounter on videotapes, which tapes were never shown before the PLEB; petitioner Concina never admitted to Ang See that he had a "sexual" relationship with Jennie, which Ang See confirmed in her testimony; meanwhile, the affidavit of Jennie could not be used as basis for the PLEB's findings as she never testified nor affirmed her affidavit before the said tribunal; an admission of having a relationship with a woman is not sufficient proof of having an illicit "sexual" relationship with her; and, the PLEB's pronouncement that he took advantage of his position is based on a mere inference, without credible or competent proof to support it.

At the outset, this Court notes that of all the administrative bodies which took cognizance of this case: the PLEB, RAB-NCR, DILG, and CSC, it was only the PLEB which ruled on the merits of the charge for grave misconduct and/or gross immorality. The RAB-NCR, the DILG, and the CSC never passed upon the said issue on the alleged illicit sexual relationship, and all these agencies dismissed petitioner Concina's appeal for either of two (2) reasons: (1) that it was belatedly filed before the RAB-NCR beyond the ten (10)-day reglementary period; and (2)

that petitioner Concina failed to file a Notice of Appeal.

The first ground on timeliness had been overlooked by the reviewing tribunals in several instances, dismissing the appeal on that basis: the RAB-NCR in its Decision dated July 3, 2008[35], the DILG Secretary in his Decision dated December 30, 2010[36] and Resolution dated September 7, 2011[37], and the CSC in its Decision dated April 23, 2013[38]. These pronouncements are clearly erroneous because the RAB-NCR already pointed out in its Resolution[39] dated September 5, 2008 that it erred in finding the appeal to be belatedly filed on February 28, 2008, as it turned out that the appeal had been earlier filed by mail on February 15, 2008.[40]

As the dismissals based on timeliness of the appeal were mistaken, the pivotal issue in this case, therefore, revolves on the second ground which is whether or not the "Petition on Appeal"[41] filed by petitioner Concina constitutes substantial compliance with the filing of a "Notice of Appeal" under Rule 20, Section 1 of NAPOLCOM Memorandum Circular No. 2007-001.

From a careful examination of the Petition on Appeal[42], and in the interest of justice to accord petitioner Concina his day in court, this Court finds that the said petition filed before the RAB-NCR within the ten (10)-day reglementary period substantially complied with the requirement of a Notice of Appeal under the rules.

It has been held that the failure to perfect an appeal in the manner and within the period allowed by law renders the questioned decision final and executory and precludes the appellate court from acquiring jurisdiction to review it. However, these rules are not iron-clad. Courts should not be impervious to instances when rules of procedure must yield to the loftier demands of substantial justice and equity.[43]

Rule 20, Section 1 of NAPOLCOM Memorandum Circular No. 2007-001 or the "Uniform Rules of Procedure before the Administrative Disciplinary Authorities and the Internal Affairs Service of the Philippine National Police" states that appeals from the decisions of disciplinary authorities, such as the PLEB, shall be taken by filing a Notice of Appeal with the said tribunal and furnishing a copy thereof to the other party and the RAB-NCR, within ten (10) days from receipt of a copy of the decision. Rule 20, Section 2 provides that the Notice of Appeal shall contain the following: (1) material dates showing that it was filed on time; (2) the assignment of the specific errors of fact or law, or both, allegedly committed by the PLEB; and 3) the specific appellate body to which the appeal is being taken, or the RAB-NCR.

Further, Rule 1, Sections 3 and 4 of Memorandum Circular No. 2007-001 provide that the Rules shall be liberally construed to attain a just and expeditious disposition of administrative complaints in cases against PNP members. The investigation and hearing shall not strictly adhere to the technical rules of procedure and evidence applicable in judicial proceedings.

In this case, petitioner Concina filed a Petition on Appeal[44] which is in fact more thorough and comprehensive than the required Notice of Appeal. More importantly, this was filed within the ten (10)- day reglementary period and it set forth the date when the PLEB's decision was received by petitioner Concina, as well as the errors of fact and law allegedly committed by the PLEB. In addition, the Petition was filed before the appellate body itself, the RAB-NCR, with a copy thereof furnished to the PLEB. Thus, from a plain reading of the Petition on Appeal, it can be readily gleaned that the requirements for the filing of a Notice of Appeal had been substantially complied with. Also, taking into consideration a party's paramount right to appeal a decision rendered against him, it is trivial and insignificant that the pleading was denominated as a "Petition on Appeal" instead of a Notice of Appeal, as it is the allegations, not the nomenclature, which should be controlling.

The Supreme Court's pronouncement in *Zenith Insurance Corp. v. Intermediate Appellate Court*[45] pertinently holds, thus:

"After due consideration of the arguments raised in the pleadings, the court finds for petitioner. We note that the petition for review filed before the respondent court necessarily includes all the elements of a notice of appeal, i.e., it contains the names of the parties to the appeal, the judgment or order appealed from, the court to which the appeal is taken and the material dates to show that it was filed within the period fixed by law. It must also be considered that the same was filed on time and a copy thereof served upon the other party. We hold, therefore, that there was substantial compliance with the requirements of law, in line with the liberal stance adopted by this Court in countless cases with respect to procedural technicalities." (Emphasis supplied)

Verily, there is nothing sacred about the forms of pleadings or processes, their sole purpose being to facilitate the application of justice to the rival claims of contending parties. Hence, pleadings as well as procedural rules should be construed liberally. Dismissal of appeals purely on technical grounds, as in this case, is frowned upon because rules of procedure should not be applied to override substantial justice. Courts must proceed with caution so as not to deprive a party of statutory appeal; they must ensure that all litigants are granted the amplest opportunity for the proper and just ventilation of their causes, free from technical constraints.[46]

Technicality, when it deserts its proper office as an aid to justice and becomes its great hindrance and chief enemy, deserves scant consideration from courts.[47] Here, the procedural defects are inconsequential as the Petition on Appeal complied with the required contents of a Notice of Appeal, even more.

Marriage is a sacrosanct institution which should always be respected. Thus, the act of having sexual relations with a married person, is considered "disgraceful and immoral" conduct because such manifests deliberate disregard by the actor of the marital vows protected by the Constitution and our laws.[48]

Nonetheless, while the actuation of a police officer in having an illicit relationship with a married woman is indeed a reprehensible act, it would be more prudent and in keeping with the fundamental principles of due process that the merits of such issue should be first passed upon by the RAB-NCR, and if appealed later on, by the DILG and the CSC to ensure a more exhaustive and thorough review of the substantive issues raised by the parties. To reiterate, all these agencies dismissed petitioner Concina's appeal on the basis of an odious technicality. Rightfully, aside from the PLEB, it is before these administrative bodies where such substantive matters should be threshed out, and the evidence presented be considered, scrutinized and weighed.

WHEREFORE, premises considered, the instant petition is PARTLY GRANTED. The assailed Decision No. 130412 dated April 23, 2013 and Resolution No. 1301967 dated August 27, 2013 of the Civil Service Commission (CSC) are hereby SET ASIDE. The appeal is hereby REINSTATED and the case REMANDED to the Regional Appellate Board, Fourth Division, National Police Commission for further proceedings.

No costs.

SO ORDERED.

Garcia, and Bueser, JJ., concur.

[1] Rollo, pp. 50-59

[2] Rollo, pp. 60-65

[3] Rollo, p. 59

[4] Rollo, p. 65

[5] Rollo, pp. 99-100

- [6] Rollo, p. 66
- [7] Rollo, pp. 68-72
- [8] Rollo, p. 73
- [9] Rollo, pp. 74-82
- [10] Rollo, pp. 129-156; Transcript of Stenographic Notes dated January 12, 2007
- [11] Rollo, pp. 83-84
- [12] Rollo, pp. 157-199; Transcript of Stenographic Notes dated January 12, 2007
- [13] Rollo, pp. 85-86
- [14] Rollo, p. 87
- [15] Rollo, pp. 94-98
- [16] Rollo, pp. 90-93
- [17] Rollo, pp. 200-207
- [18] Rollo, pp. 208-212
- [19] Rollo, pp. 213-219
- [20] Rollo, pp. 220-223
- [21] Rollo, pp. 224-226
- [22] Rollo, pp. 227-228
- [23] Rollo, pp. 229-242
- [24] Rollo, pp. 290
- [25] Rollo, pp. 243-247
- [26] Rollo, pp. 248-253
- [27] Rollo, pp. 254-257
- [28] Rollo, pp. 258-261
- [29] Rollo, pp. 262-276
- [30] Rollo, pp. 50-59
- [31] Rollo, pp. 277-289
- [32] Rollo, pp. 60-65
- [33] Rollo, pp. 35-36
- [34] Rollo, pp. 37-45
- [35] Rollo, p. 221
- [36] Rollo, p. 247

[37] Rollo, p. 255

[38] Rollo, p. 58

[39] See Rollo, pp. 224-225

[40] See Rollo, pp. 22, 224-225

[41] Rollo, pp. 213-219

[42] Rollo, pp. 213-219

[43] Emerito Remulla v. Joselito Manlongat, G.R. No. 148189. November 11, 2004.]

[44] Rollo, pp. 213-219

[45] G.R. No. 73336. September 24, 1986.

[46] Regional Agrarian Reform Adjudication Board v. Court of Appeals, G.R. No. 165155. April 13, 2010.

[47] Security Bank Corp. v. Court of Appeals, G.R. No. 135874. January 25, 2000.

[48] Concerned Employee v. Glenda Espiritu Mayor, A.M. No. P-02-1564. November 23, 2004; Julie Ann Dela Cueva v. Selima Omaga, A.M. No. P-08-2590. July 5, 2010.

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