

REPUBLIC OF THE PHILIPPINES, PLAINTIFF AND APPELLANT, VS. CLASICO TAJANLANGIT, DEFENDANT AND APPELLEE.

G.R. No. L-17324. April 22, 1963

Ponente: BENGZON, C.J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/84aee32c72bc/>

BENGZON, C.J.:

In the justice of the peace court of Miagao, Iloilo, the Republic sued Clasico Tajanlangit to recover P110.88 representing the value of nine sacks of fertilizer, which he had purchased, from the Fertilizer Administration. He refused to pay, alleging false representations about the benefits to be derived from the use of such fertilizer. He even asserted harmful effects of the fertilizer upon his crops. The court rendered judgment against him.

On appeal to the court of first instance the same issues were raised. However, due to the failure of the plaintiff to appear at the trial on two different occasions, the judge dismissed the action for lack of interest, the case having pended in said court for about three years.

The plaintiff asked for reconsideration invoking accident, mistake or excusable negligence. It submitted an affidavit of its attorney who claimed, and swore to the effect, that due to the big volume of papers turned over to him by the Fertilizer Administration, he did not know of the existence of the case and so he failed to appear and take charge of the litigation. He swore furthermore that the plaintiff had a good cause of action.

The judge denied the motion. Plaintiff then took the matter to the Court of Appeals. The latter, believing that only questions of law were involved, certified the record to this Court.

Having read the pertinent papers, we think the trial judge committed no plain abuse of discretion: in refusing to re-open. For one thing, the excusable negligence alleged by plaintiff referred to circumstances arising after the Fertilizer Administration had been abolished, namely in November, 1956, it failed to account for the non-appearance of plaintiff or its attorney in July 20, 1956, the first time the case was called for hearing. Besides, the affidavit of merit merely cited the promissory note, which was already of record, and, which the defendant had signed, upon getting the sacks of fertilizer. Such affidavit obviously added nothing to the plaintiff's cause, is the face of Tajanlangit's defense that the fertilizer proved to be useless, nay, harmful to his plants.

By the way, contrasting the meager amount of the claim, with the expenses of printing plus the valuable time consumed not only in the preparation of a brief, but specially in the adjudication of the controversy in the appellate courts, which are pressed for time, the idea occurs to us that the Government counsel could have, and should have declined to prosecute this appeal. Judgment affirmed.

Padilla, Bautista Angelo, Conception, Reyes, J. B. L., Barrera, Paredes, Dizon, Regala and Makalintal, JJ., concur.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.