

**ONSHORE STRATEGIC ASSETS (SPV-AMC), INC., PETITIONER, VS.
JUDGE PAULINO Q. GALLEGOS, IN HIS CAPACITY AS THE PRESIDING
JUDGE OF BRANCH 47 OF THE REGIONAL TRIAL COURT OF MANILA,
G...**

Ponente: BARZA, R. F., J.

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BARZA, R. F., J.:

In the Resolution[1] of this Court dated February 12, 2014, private respondents were required to file Comment on the petition and to remit to this Court the amount of P1,000.00 as payment of the required mediation fee.

As per JRD Report, no Comment on the petition was filed by respondents as per CMIS entry.[2] Likewise, they did not remit the amount of P1,000.00 mediation fee.

In the minute resolution dated June 17, 2014[3], this Court ordered the following:

- a) counsel for private respondents is DIRECTED to COMMENT on the Manifestation and Joint Motion for Substitution jointly filed by counsel for petitioner and counsel for movant Majestic Plus Holdings, Inc.;
- b) directing counsel for respondents to inform the Court the current complete correct address of Ever Emporium Inc., and,
- c) counsel for respondent is also required to submit within ten (10) days from notice the correct complete address of private respondent Jose C. Go.

The above resolution was received by De Sagun Law Office[4], the counsel who represented respondents in the court a quo. Respondents Gotesco Land Inc., Gotesco Properties Inc., and Ever Gotesco Resources were also furnished a copy of the said resolution.[5] Despite receipt however, respondents did not comply with this Court's Resolution.

Petitioner Onshore Strategic Assets (SPV-AMC), Inc. (Onshore) and Majestic Plus Holdings in their Joint Motion for Substitution, manifested that on January 15, 2014, petitioner Onshore assigned all its rights and interest to the loan accommodations of Majestic Plus Holdings Inc.,[6] wherein Onshore's legal interest to assert or pursue its rights, defenses and claims against respondents has been transferred to Majestic Holdings. Petitioner prayed for this Court to "issue an order substituting Majestic Plus Holdings Inc., as respondent in the instant case in lieu of Petitioner Onshore".[7]

We cannot grant Onshore's motion for substitution. Majestic Plus Holdings, Inc. cannot be made as party respondent considering what it intends to substitute is the petitioner Onshore.

Considering that there was no compliance with the Resolution dated February 12, 2014, to remit to this Court the amount of P1,000.00 as mediation fee and there was also no compliance with the Resolution dated June 17, 2014,

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WHEREFORE, the petition is DISMISSED.

SO ORDERED.

Carandang, R. D., Chairperson, and Reyes-Carpio, A., JJ., concur.

[1] pp. 257-259, rollo.

[2] Dorsal, p. 261, rollo.

[3] p. 262, rollo,.

[4] Postmaster's reply to Traces, p. 270, rollo.

[5] Postmaster's reply, pp. 268,272 and 272, rollo.

[6] Annex "A", p. 248, rollo.

[7] p. 244, rollo.

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