

**JOSELITO RALLOS, JOSEFINA RALLOS VALLAR, SIMON RALLOS
REPRESENTING HIS DECEASED FATHER CARLOS RALLOS, TERESITA
RALLOS YAP, AND JOSELITO RALLOS, COMPLAINANTS, VS. JUDGE
IRENEO LE...**

A.M. No. RTJ-99-1484 (A). March 17, 2000

Ponente: PANGANIBAN, J.

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PANGANIBAN, J.:

Partiality and dishonesty have no room in the administration of justice, for they contradict its very essence. Indeed, like Caesar's wife, a judge must not only be pure, but must also be beyond suspicion.

The Case

Two administrative cases were filed against Judge Ireneo Lee Gako Jr. of the Regional Trial Court of Cebu City, Branch 5. Filed by Executive Secretary Ronaldo B. Zamora, the first is a Letter-Complaint charging him with ignorance of the law and grave abuse of authority. Allegedly, respondent ordered the release of 25,000 sacks of imported rice to the claimants, notwithstanding the pendency of seizure and forfeiture proceedings before the Bureau of Customs.

The second was an Administrative Complaint filed by Joselito Rallos, Simon Rallos, Josefina Rallos Vallar and Teresita Rallos Yap. They assailed the respondent's Order dated March 15, 1999, which had falsely stated that complainants, who were petitioners in Special Proceedings Case No. 1576-R entitled "Intestate Estate of Simeon Rallos," were present during the hearing on the said date.

After respondent filed his separate Comments to these two Complaints, the Court, in its September 1, 1999 Resolution, docketed the two cases as administrative matters and referred them to Deputy Court Administrator Bernardo T. Ponferrada for investigation, report and recommendation.

After conducting hearings, the investigator submitted his findings and recommendations to this Court in a Memorandum dated January 4, 2000.

The Facts

The antecedent facts in the first case, as summarized by the investigator,[1] are as follows:

"On December 8, 1998, the Economic Intelligence and Investigation Bureau (EIIB) of the Bureau of Customs (BOC), the Philippine Coast Guard, and the Philippine National Police (PNP) at the Port of Cebu withheld, for investigation, an estimated 25,000 sacks of rice marked as 'Snowman' on board the vessel, M/V Alberto. The sacks of rice allegedly came from Palawan to be unloaded in Cebu. Likewise seized on the same date were nine cargo trucks to be used for carrying the subject sacks of rice.

"The EIIB then wrote to the Bureau of Customs, Cebu, stating that upon further verification, no proper voyage clearance to sail from Palawan to Cebu was issued to the vessel, M/V Alberto. The EIIB then requested that a

warrant of seizure and detention be issued over the rice shipment.

"On December 9, 1998, the Bureau of Customs issued a Warrant of Seizure and Detention against: a) the vessel M/V Alberto used in the illegal transport of imported staple rice; b) the imported staple rice consisting of 25,000 sacks, more or less, with the 'Snowman' brand; and c) nine (9) motor-vehicle trucks used and utilized in the illegal transport of the rice. The warrant was also directed to the owner of the M/V Alberto, ANMA Philippine Shipping Corporation, and the consignee of the rice shipment, Mark Montelibano.

"Thereafter, the claimants Mark Montelibano and Elson Ogario, on December 10, 1998, filed a complaint for injunction with prayer for temporary restraining order and writ of preliminary injunction. The case, entitled 'Elson Ogario and Mark Montelibano vs. Bureau of Customs, EIIB, Philippine Navy, Maritime Command, Philippine National Police, Philippine Coast Guard and All Enforcement Agencies' was docketed as Civil Case No. CEB 23077 and assigned to Branch 5, Regional Trial Court of Cebu City, which is the sala of respondent judge. The complaint alleged that the acts of defendants in intercepting the subject sacks of rice [were] unlawful, illegal and merely based on suspicion. Thus, plaintiffs prayed for the quashal of the warrant of seizure and detention (dated December 9, 1998) issued by the Collector of Customs, and for the release of the goods.

"The Bureau of Customs filed a motion to dismiss on December 11, 1998, alleging that the trial court ha[d] no jurisdiction over the complaint. x x x justice

x x x.....x x x.....x x x

"The Bureau of Customs also pointed out that the appropriate seizure proceeding was already instituted on December 9, 1998, by virtue of the issuance of the warrant of seizure and detention. This had the effect of depriving the trial court of jurisdiction over the matter.

"On December 28, 1998, a hearing was held by respondent judge on both the motion to dismiss of the Bureau of Customs and the complainants' application for a writ of preliminary injunction. The parties presented evidence in support of their respective positions.

"In a Resolution dated January 11, 1999, the respondent judge denied the Bureau of Customs' motion to dismiss and granted complainants' prayer for writ of preliminary injunction, the dispositive portion of which reads:

x x x.....x x x.....x x x

"In the subject resolution, the respondent judge also ruled that the Bureau of Customs ha[d] no jurisdiction because the goods involved [were] neither imported nor smuggled and were apprehended outside the customs zone. As further basis, it was ruled that plaintiff was able to present a certification issued by the National Food Authority that the subject rice came from Palawan. Defendants, on the other hand, submitted no evidence that the subject bags of rice were imported or smuggled. The issuance of the warrant of seizure and detention being arbitrary and without probable cause, it did not divest the trial court of its jurisdiction.

"The Bureau of Customs filed a motion for reconsideration, but this was subsequently denied in the trial court's Order dated January 25, 1999. In this resolution, respondent judge ordered the defendants to release the 25,000 sacks of rice without delay, the dispositive portion of which reads:

x x x.....x x x.....x x x

"The Bureau of Customs, through the Office of the Solicitor General, filed a petition for certiorari before the Court of Appeals, docketed as CA-G.R. SP No. 51051, assailing the Resolutions dated January 11 and 25, 1999 of the respondent judge.

"In the meantime, on April 5, 1999, the District Collector of Customs of Cebu City rendered a Decision in the

seizure proceedings (Cebu Seizure Identification Case No. 17-98) declaring the 25,000 sacks of 'Snowman' rice as smuggled and ordering their forfeiture.

"On April 15, 1999, the Court of Appeals issued a Decision[2] denying the petition for certiorari filed by the Bureau of Customs and affirmed the questioned Resolutions dated January 11 and 25, 1999 issued [by] respondent judge.

"In view of the Court of Appeals decision, respondent judge issued another Resolution dated April 26, 1999 reiterating the release of the 25,000 sacks of rice, the dispositive portion of which reads:

x x x.....x x x.....x x x

"A petition for review was then filed by the Bureau of Customs before the Supreme Court questioning the Decision of the Court of Appeals. Upon application, a Temporary Restraining Order was subsequently issued by the Supreme Court on May 17, 1999, 'enjoining the Presiding Judge of the Regional Trial Court, 7th Judicial Region, Branch 5, Cebu City or any of his representatives and the respondents from enforcing or causing to be enforced the questioned Resolution dated 11 January 1999, the Order dated 25 January 1999, and the Resolution dated 26 April 1999, as well as all subsequent orders issued by the Regional Trial Court, Branch 5, Cebu City in Civil Case No. CEB-23077 entitled Elson Ogario and Mark Montelibano vs. Bureau of Customs, et. al.'

x x x.....x x x.....x x x

"Respondent judge was required to comment on the administrative complaint.

- In his Comment dated July 21, 1999 (Exh. 8), the judge in essence, sought to justify the issuance of the questioned orders on the following propositions:

- The Warrant of Seizure and Detention issued by the Bureau of Customs of the Port of Cebu on December 9, 1998 was based merely on a suspicion and not anchored on probable cause. Hence, the issuance of the Warrant was not valid and, therefore, of no legal effect.

- That the Bureau of Customs [of the Port of] Cebu x x x abused its authority or function in seizing the '25 thousand bags of rice' on the basis of a suspicion that they were smuggled goods or illegally imported. The issuance of the Warrant of Seizure and Detention was arbitrary.

- That the Regional Trial Court Judge in the exercise of his jurisdiction, can issue an injunction to stop or prevent a purported enforcement of a criminal law which is not in accordance with an orderly administration of justice, and also to stop and prevent the Bureau of Customs from using the strong arm of the law in an oppressive and arbitrary manner."[3]

In the second case, Deputy Court Administrator Ponferrada summarized the facts as follows:

"On July 29, 1998, complainants, who are the legitimate children and compulsory heirs of the late Simeon Rallos, filed a motion to remove and/or replace [the] administrator of the estate[,] Atty. Juan T. Borromeo. In an Order dated February 10, 1999, respondent judge did not categorically rule on the motion, and instead scheduled a hearing on March 17, 1999. x x x

x x x.....x x x.....x x x

"Atty. Borromeo, on March 10, 1999, filed a motion to defer [the] hearing set for March 17, 1999. He scheduled the hearing of the motion on March 15, 1999 at 2:30 p.m. On the said hearing date, Atty. Borromeo appeared but complainants and counsel were not present. Respondent judge then issued the subject order (dated March 15, 1999) stating:

"When this case was called for hearing, only the administrator and his counsel appeared. The oppositors and

their counsel [were] also around.

'The administrator and his counsel called the attention of the court that their Supplemental Inventory, including the opposition thereto, ha[d] not been resolved yet and the favorable resolution of the court is very important for them so they can move further for the settlement of the estate.

'WHEREFORE, the Supplemental Inventory, including the opposition thereto, is considered submitted for the resolution of the court.

'The administrator and his counsel are notified of this order in open court, including the oppositors and their counsel.

'SO ORDERED.'

"On the other hand, on March 17, 1999, complainants and their counsel, Atty. Expedito Bugarin, Jr. went to Branch 5 to attend the hearing, only to be informed that the case was not calendared. Upon further inquiry from the staff of respondent judge, they learned that [the] hearing of the case was conducted on March 15, 1999. They obtained a copy of the Order of March 15, 1999 of respondent judge which stated that 'oppositors (referring to the complainants) and their counsel are also around', and this was also stated in the transcript of records.

"The complainants, on the basis of the Order dated March 15, 1999, filed the instant administrative complaint before the Office of the Court Administrator. Respondent judge was required to comment on the complaint.

"In his Comment, respondent judge admitted that the inclusion of the sentence 'the oppositors and their counsel [were] also around' was mere error on his part. He points out that the sentence is inconsistent with the first sentence 'only the administrator appeared.'

"Nevertheless, he admits his error and states that it was not done intentionally, but was due to mental lapse and fatigue, considering that he heard numerous cases on said date. He further alleged that complainants filed the instant administrative complaint because he did not act on their motion to remove and/or replace the administrator; that he could have rectified his error if only the complainants informed him of the same; that 'there was no malice on his part since he does not know personally the oppositors and the administrator; and that he is not a personal friend to their counsel; that the subject order pertains only to the submission of the supplemental inventory and the opposition thereto for resolution of the court, so no damage or prejudice was done to the herein complainants; that he has not even resolved the said incident because he is still reading the voluminous court records.' Respondent judge also stated that he already voluntarily inhibited himself from hearing the case."

Investigator's Recommendation

In his Memorandum, Deputy Court Administrator Ponferrada recommended that respondent be suspended for six months without pay for the first case and fined in the amount of P5,000 for the second.

In justifying the penalty for the first case, the investigator ratiocinated as follows:

"Well-settled is the rule that the trial court has no jurisdiction over the property subject of the warrant of seizure and detention issued by the Bureau of Customs. In the case of *Mison vs. Natividad*,^[4] the Honorable Supreme Court held that:

'The court a quo has no jurisdiction over the res subject of the warrant of seizure and detention. The respondent judge, therefore, acted arbitrarily and despotically in issuing the temporary restraining order, granting the writ of preliminary injunction and denying the motion to dismiss, thereby removing the res from the control of the Collector of Customs and depriving him of his exclusive original jurisdiction over the controversy. Respondent judge exercised a power he never had and encroached upon the exclusive original jurisdiction of the Collector of Customs. By express provision of law, amply supported by well-settled jurisprudence, the Collector of

Customs has exclusive jurisdiction over seizure and forfeiture proceedings, and regular courts cannot interfere with his exercise thereof or stifle or put it to naught.

"The Office of the Court Administrator also issued Circular 68-94 dated November 3, 1994, which reiterated the provisions of Circular No. 13-93.

"The aforesaid circulars were again reiterated in Administrative Circular No. 07-99 dated June 25, 1999 issued by Chief Justice Hilario G. Davide informing judges of the lower courts to exercise utmost caution, prudence, and judiciousness in the issuance of temporary restraining orders and writs of preliminary injunctions to avoid any suspicion that its issuance or grant was for considerations other than the strict merits of the case. x x x"[5]

In the second case, respondent judge was found guilty of grave abuse of authority. The investigator explained:

"Based on the evidence presented during the investigation, respondent judge appeared to be biased and prejudiced against the complainants, as shown by the following:

"a) On July 29, 1998, complainants filed a Motion to Remove and/or Replace Administrator. The respondent judge required the administrator to file a comment or opposition within fifteen (15) days from receipt of the Order. Complainant's counsel was also required to file [a] reply thereto, after which the incident [would be deemed] submitted for resolution.

In his Order dated February 10, 1999 respondent judge did not categorically rule on complainant's motion while the Order stated that the "relationship between the heirs and the administrator can no longer see eye to eye with each other, then it's about time for the Administrator to give [way] so as not to further delay the distribution of the estate." The respondent judge chose to give priority to the administrator's compensation, and thus deferred a categorical ruling on the motion. However, it may be stated that the matter of compensation can be pursued by the administrator as a claim against the estate, and satisfaction thereto is not a pre-condition to the administrator's removal as such. The reason given by the respondent judge has no basis in law. It appears as a ploy to delay further the ruling on the petition of the heirs to change the administrator. With this actuation, the respondent exposed his bias in favor of the administrator. He became a true picture of what a judge ought not to be.

"b) The administrator, on March 10, 1999, filed a Motion to Defer the hearing of March 17, 1999 and set the hearing on March 15, 1999. In the Order of respondent judge dated March 15, 1999, there was no pronouncement on whether the hearing on March 17, 1999 was cancelled. Instead it discussed the issue of the inventory of the properties of complainants by the administrator.

As to the Motion to Defer the hearing of March 17, 1999, respondent judge should have observed the procedure laid down under Rule 15 of the 1997 Revised Rules of Court, which provides that "[e]very written motion required to be heard and the notice of the hearing thereof shall be served in such a manner as to ensure its receipt by the other party at least three (3) days before the date of hearing, unless the court for good cause sets the hearing on shorter notice." And the "good cause" required was not even stated when the respondent judge advanced the hearing to March 15 1999, instead of March 17, 1999 as originally scheduled. The only visible reason why it was transferred earlier to March 15, 1996 [was] because it appear[ed] as the date suggested by the administrator.

"The respondent judge evidently, did not consider the rights of the heirs of the late Simeon Rallos, who appear[ed] persistent in seeking x x x the removal of the administrator. With the confusion occasioned by such a blunder committed by the respondent even on a simple motion to transfer hearing, it creates an impression that it was done deliberately to stall the possible removal of the administrator upon petition by the heirs of a deceased person. Such unwelcome act coming as it does from the judge certainly erodes the confidence and integrity of the judiciary.

"Another [point] to be observed is that the hearing must specify the time and date which must not be later than ten (10) days after the filing of the motion. This was not followed by the administrator. Complainants' copy of the motion was sent by registered mail on March 10, 1999, and it was not received by the complainants in time for the March 15, 1999 hearing. In spite of this, respondent judge heard the case on March 15, 1999 even without the presence of complainants and their counsel, and despite the lack of proof that the latter were notified of the hearing on that day. Worse, he made it appear in his Order that the complainants in this administrative matter were present. When in truth they were not.

"C. Based on the testimony of Atty. Nollara, Ms. Estella was transferred to another Branch after she testified against respondent judge. This [was] clearly an act of retaliation against Ms. Estella for her "unfavorable" testimony.

"The evidence show[s] that the "March 15, 1999 Order" [was] not a "mere oversight" as respondent judge would like to make it appear. The court stenographer testified that she had already prepared a draft of the order stating that the complainants and their counsel were not around, but respondent judge modified this and made it appear that complainants and their counsel were present.

"Moreover, it was not proper for respondent judge to push through with the March 15, 1999, hearing being requested by the administrator, since there was no proof that complainants were notified of the requested change in the hearing date. At the least, respondent judge should have heard the case on March 17, 1999.

"The acts of respondent judge are therefore, contrary to the Code of Judicial Conduct which states:

"Canon 1 - a judge should uphold the integrity and independence of the judiciary. A judge should be the embodiment of competence, integrity and independence. A judge should administer justice with impartiality and without delay."

The Court's Ruling

The first case should be held in abeyance, pending the resolution by this Court of the Petition for Review assailing the Orders that are the very subject of this administrative case. In the second case, we believe that the fine recommended by the investigator should be increased.

The First Case

Pending before us via a Petition for Review on Certiorari[6] is the Decision of the Court of Appeals affirming respondent judge's Orders dated January 11, 1999, and January 25, 1999 - the same Orders that are the subjects of the present Complaint for gross ignorance of the law. In view of the present peculiar circumstances, the disposition of this administrative case should be held in abeyance. We must, however, emphasize that this action is motivated solely by considerations of the smooth and orderly disposition of the cases, for a decision on the merits of the Complaint herein would preempt the disposition of the Petition for Review.

In so ruling, we are not in any way implying that an administrative case cannot proceed independently of the main one.[7] In light of the facts of the present case, though, the Petition for Review constitutes a prejudicial question to the resolution of the Complaint of Secretary Zamora.

The Second Case

Complainants attribute partiality to the respondent judge based on three points. First, he failed to resolve complainants' Motion to remove the administrator. Second, he arbitrarily changed the date of hearing from March 17, 1999 to March 15, 1999 without properly notifying the complainants. Worse, he made it appear in his March 15, 1999 Order that they and their counsel were present. Third, he retaliated against Daisy Estella, the stenographer who had testified unfavorably against him.

On the first point, considering that the case had been pending before the trial court for a long time,[8] it was improper for the judge not to resolve the complainants' Motion to remove or replace the administrator.[9] Moreover, the reason he proffered was wrong. The Office of the Court Administrator (OCA) was correct in pointing out that the compensation of the administrator was not a precondition for his removal.[10] Indeed, the complainants' Motion raised several legal grounds, but these were ignored by the respondent.[11]

However, by itself, this lapse was merely an error of judgment and does not merit disciplinary action against the respondent judge. Not every error or mistake he has committed in the performance of his duties would render him liable, unless he is shown to have acted in bad faith or with deliberate intent to do an injustice.[12]

As to the second point, we must clarify at the outset that complainants are not questioning the resetting of the scheduled March 17, 1999 hearing to March 15, 1999.[13] What they are stressing, and rightly so, is the apparent dishonesty of respondent judge in making it appear that they were present during the March 15, 1999 hearing. We are not convinced by his claim that his Order was merely a harmless error caused by mental fatigue. The phrase "[t]he oppositors and their counsel [were] also around" refers to a substantial matter that cannot be overlooked, considering that it is inconsistent with the first sentence of the questioned Order. Notably, the last sentence was also edited by respondent judge to make it appear consistent with the statement that the complainants were present.

Finally, regarding the third point, we agree with the OCA's conclusion that the transfer of Daisy Estella from the sala of respondent judge was prompted by her unfavorable testimony against the latter. Indeed, the branch clerk of court[14] also testified that the judge scolded Estella after she testified, and that her testimony was the reason for her transfer.

These three points, taken together, paint a picture of bias or partiality that calls for disciplinary sanction. Worse, respondent manifested dishonesty when he altered his Order and made it appear that the complainants were present during a hearing that they had not in fact attended.

Respondent judge violated Canon 1[15] and Rule 1.02,[16] as well as Canon 2[17] and Rule 2.01[18] of the Code of Judicial Conduct. Thus, he must be sanctioned.[19] In this connection, we have said:

"Well-known is the judicial norm that `judges should not only be impartial but should also appear impartial.' Jurisprudence repeatedly teaches that litigants are entitled to nothing less than the cold neutrality of an impartial judge. The other elements of due process, like notice and hearing, would become meaningless if the ultimate decision is rendered by a partial or biased judge. Judges must not only render just, correct and impartial decisions, but must do so in a manner free of any suspicion as to their fairness, impartiality and integrity.

"This reminder applies all the more sternly to municipal, metropolitan and regional trial court judges like herein respondent, because they are judicial front-liners who have direct contact with the litigating parties. They are the intermediaries between conflicting interests and the embodiments of the people's sense of justice. Thus, their official conduct should remain `free from any appearance of impropriety' and `should be beyond reproach.'"[20] (Footnotes omitted)

A review of past Decisions shows a wide range of penalty for cases of similar nature. These penalties include mere reprimand,[21] withholding of salary,[22] fine,[23] suspension,[24] and even dismissal.[25] This court feels that the P5,000 fine recommended by the OCA is inadequate, considering the dishonesty displayed by respondent. Under the circumstances, we believe that a fine in the amount of P10,000 is appropriate.

WHEREFORE, the Court finds Judge Ireneo Lee Gako Jr. GUILTY of grave abuse of authority and partiality aggravated by dishonesty for which he is ordered to PAY a FINE of P10,000. He is sternly warned that a

commission of similar acts in the future shall be dealt with more severely. The Complaint filed by Executive Secretary Ronaldo Zamora is hereby held in abeyance.

SO ORDERED.

Melo, (Chairman), Vitug, Purisima, and Gonzaga-Reyes, JJ., concur.

[1] Deputy Court Administrator Bernardo T. Ponferrada.

[2] Penned by J. Artemio G. Tuquero (now justice secretary), with the concurrence of JJ Eubulo G. Verzola (Division chairman) and Mariano M. Umali (member)

[3] Memorandum submitted by Deputy Court Administrator Bernardo T. Ponferrada dated January 4, 2000, pp. 2-7.

[4] 213 SCRA 734 (1992)

[5] Memorandum submitted by Deputy Court Administrator Bernardo T. Ponferrada dated January 4, 2000, pp. 7-13.

[6] The case is entitled "The Bureau of Customs (BOC) et. al. v. Elson Ogario and Mark Montelibano" (GR No. 138081) pending before the Second Division. Per Resolution dated May 17, 1999, this Court issued a Temporary Restraining Order enjoining, inter alia, the respondent judge herein from enforcing or causing to be enforced the questioned Resolution dated January 11, 1999; the Order dated January 25, 1999; as well as all subsequent orders related to Civil Case No. CEB-223077, Elson Ogario and Mark Montelibano v. Bureau of Customs et. al."

[7] See *Gatchalian Promotions v. Naldoza*, AC No. 4017, September 29, 1999.

[8] Respondent judge admittedly declared that the case has been pending for 43 years.

[9] The aforementioned Order dated February 10, 1999 states in part:

"The court will not also relieve the incumbent Administrator without first asking him to submit his claim of compensation which is honestly due him."

[10] The law that governs this matter is Section 2, Rule 82 of the Rules of Court, which provides:

"SEC. 2. Court may remove or accept resignation of executor or administrator. Proceedings upon death, resignation, or removal.—If an executor or administrator neglects to render his account and settle the estate according to law, or to perform an order or judgment of the court, or a duty expressly provided by these rules, or absconds, or becomes insane, or otherwise incapable or unsuitable to discharge the trust, the court may remove him, or in its discretion, may permit him to resign. x x x." (See *De Parreño v. Aranzanso*, 116 SCRA 157, August 30, 1982)

[11] See *Kalaw v. IAC*, 213 SCRA 289, September 2, 1992.

[12] See *Cagatin v. Demecillo*, 304 SCRA 369, March 10, 1999.

[13] Complainants' letter dated May 20, 1999, states:

"6. While we are not objecting to the cancellation of the March 17, 1999 hearing as a consequence of the March 15, 1999 hearing, in spite of the absence of prior notice from the court, what we are complaining about is the questionable and seemingly dishonest actuations of Judge Gako in making it appear in his Order dated March 15, 1999 that we and our counsel were present and were notified of said order in open court, when in

truth and in fact we were not even there x x x"

[14] Atty. Manuel G. Nollora.

[15] "A judge should uphold the integrity and independence of the judiciary."

[16] "A judge should administer justice impartially and without delay."

[17] "A judge should avoid impropriety and the appearance of impropriety in all activities."

[18] "A judge should so behave at all times as to promote public confidence in the integrity and impartiality of the judiciary."

[19] See *Prudential Bank v. Castro*, 142 SCRA 223, June 5, 1986.

[20] *Macasasa v. Imbing*, A.M. No. RTJ-99-1470, pp. 21-22, August 16, 1999, per Kapunan, J.

[21] See *Ardosa v. Gal-lang*, 284 SCRA 58, January 8, 1998; *Tabao v. Butalid*, 262 SCRA 559, September 30, 1996.

[22] See *Santos v. De Gracia*, 119 SCRA 189, December 15, 1982.

[23] See *Espiritu v. Jovellanos*, 280 SCRA 579, October 16, 1997; *Sandoval v. Manalo*, 260 SCRA 611, August 22, 1996; *Benjamin Sr. v. Alaba*, 261 SCRA 429, September 5, 1996; *Vda. de Coronel v. Danan*, 225 SCRA 212, August 9, 1993.

[24] See *Fernandez v. Imbing*, 260 SCRA 586, August 21, 1996; *Abundo v. Manio*, AM No. RTJ-98-1416, August 6, 1999.

[25] See *Meris v. Ofilada*, 293 SCRA 606, August 5, 1998.

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