

FLORENTINO BAGASO VS. EDILBERTO SUAREZ, JANITOR, COURT OF FIRST INSTANCE OF CEBU, CEBU CITY.

A.M. No. P-127. December 28, 1973

Ponente: MAKASIAR, J.

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MAKASIAR, J.:

It appearing that respondent Edilberto Suarez, janitor in the Court of First Instance of Cebu in Cebu City, admitted that he entered in his daily time record of March 28, 1969 that he was actually in his office from 1:00 to 5:10 P.M. of that day, when as a matter of fact he was in the office of Atty. Garcillano at V. Rama Avenue from 1:00 to past 4:00 P.M. of said day; that his explanation that he was given permission by his superior, Mrs. Remedios Orson, to leave the office that afternoon, is partly belied by the testimony of Mrs. Orson to the effect that she does not remember whether in the afternoon of March 28, 1969 respondent asked her permission to leave the office, although she added that she usually verbally grants her subordinates permission to leave the office but only for coffee breaks or merienda and only for a short time, that half an hour is too long, and that she reprimanded some of her personnel for having gone out of the office for more than one hour; that therefore respondent is guilty of falsification of his daily time record; that in view however of the fact that respondent has been in the service for over ten years; and that this is his first infraction, respondent is hereby fined in an amount equivalent to one month salary, with the warn-ing that the commission hereafter by him of the same or any other irregularity will be dealt with more severely.

Makalintal, C.J., Ruiz Castro, Teehankee, Esguerra, and Muñoz Palma, JJ., concur.

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