

CELEDONIO SANTOS, ET AL., PETITIONERS, VS. COURT OF INDUSTRIAL RELATIONS, ET AL., RESPONDENTS.

G.R. No. L-7323-24. November 29, 1955

Ponente: PARAS, C.J.

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PARAS, C.J.:

Under date of February 8, 1952 Celedonio Santos Mariano Geronimo, Fabian Geronimo, Domingo Valenzuela and Pantaleon Valenzuela, hereinafter to be referred to as petitioners, filed a complaint (case No. 3625-R) in the Court of Industrial Relations against Fidel Makapugay and Antonio Paulino, in substance alleging that the petitioners have been for almost twenty-five years the tenants of Fidel Makapugay on the latter's rice land located in Tenejeros, Pulilan, Bulacan; that they have been in peaceful possession and cultivation of said land until February 1, 1952, when Antonio Paulino, allegedly acting as lessee of Fidel Makapugay, tried and in fact was able to enter into the land; that the petitioners cannot be summarily ejected in the absence of any ground therefor in accordance with the Tenancy Law. The petitioners prayed that Fidel Makapugay and Antonio Paulino be ordered to respect their possession as tenants and that an injunction be issued restraining Fidel Makapugay and Antonio Paulino from entering the land in the meantime. On February 10, 1952, Presiding Judge Arsenio C. Roldan of the Court of Industrial Relations issued an order prohibiting Fidel Makapugay and Antonio Paulino from interfering with the possession of the petitioners pending final disposition of the case on the merits.

Under date February 14, 1952, Fidel Makapugay and Antonio Paulino filed an answer in substance alleging that the petitioners were ejected from the land, because they committed certain acts of unfaithfulness and breach of trust in connection with their tenancy and failed to accomplish the necessary farm work to insure a good harvest; and that the petitioners' ejection was in accordance with the provisions of Act No. 4054 as amended.

Under date February 21, 1952, Fidel Makapugay filed a complaint (case No. 3715-R) in the Court of Industrial Relations against the petitioners, alleging in substance that the latter, who are tenants of Fidel Makapugay on the land situated in Tenejeros, Pulilan, Bulacan, had committed certain misconduct and willful disobedience to the lawful orders of Fidel Makapugay; that the petitioners had failed to comply with their obligation, under Act No. 4054, as amended, and under their contract of tenancy; that as a consequence the harvest from the land was reduced to an unbelievable amount compared with the harvest during previous agricultural years. Fidel Makapugay prayed that the case be heard jointly with the complaint filed by the petitioners, case No. 3625-R, and that after due hearing the petitioners be ordered ejected.

Under date of April 22, 1952, the petitioners filed an answer in case No. 3715-R, in substance alleging that they have no knowledge of any disobedience on their part to lawful orders of Fidel Makapugay, or of any failure to comply with their obligations as tenants under Act No. 4054, as amended; that if the harvest was ever reduced, it was for reasons beyond petitioners' control; and that the parties in the two cases are not identical and the issues, though similar, are not the same.

Under date of August 13, 1952, after a joint trial, Presiding Judge Arsenio C. Roldan of the Court of Industrial

Relations rendered the following decision:

"In Case No. 3625-R, petitioners Celedonio Santos, Pantaleon Valenzuela, Domingo Valenzuela, Mariano Geronimo, Fabian Geronimo claimed that they are tenants of respondent Fidel Makapugay, and that they are being ejected without just and reasonable cause, from their respective landholdings situated at Tenejeros, Pulilan, Bulacan.

"The respondent in his answer alleged that, the petitioners are being ejected due to the latters' negligence and non-performance of their duties in connection with the necessary farm work which will insure a good harvest.

"In Case No. 3715-E, landlord Fidel Makapugay averred that the hereinabove tenants have committed acts of misconduct or willful disobedience to his lawful orders and that said tenants failed to comply with their obligations in accordance with Act 4054, as amended.

"On the other hand, the respondent tenants denied all the allegations in the complaint and maintained that although the issues in both case are similar, they are not the same.

"An interlocutory order was issued by this Court dated February 14, 1952. maintaining the status quo of the litigating parties in the landholdings in question pending the hearing and final disposition of the case on its merits.

"In view of the identity of the parties and subject matter, these cases were heard jointly and presently consolidated for purposes of decision.

"From the evidence of record, we find fully established the following facts:

"There exist tenancy relations between the landlord and the tenants; the lands in question are irrigated first-class lands the crops have been scarce considering that these lands are first-class and irrigated; the dikes were broken and, at least, dilapidated and too low to hold water necessary for the cultivation of the seedlings, which may also be the cause of the poor harvest just mentioned; in the landholdings of Pantaleon Valenzuela, Mariano Geronimo and Celedonio Santos, the said tenants constructed in their landholdings ponds which they use for fishing purposes against the will of the landlord and in disobedience to the latter's order; in the landholdings of Mariano Geronimo, Celedonio Santos, and Fabian Geronimo, portions thereof were not cultivated and so were not planted with palay; Celedonio Santos and Mariano Geronimo do not own carabaos and have to resort to 'Palusong' system in the cultivation of their landholdings; the tenants planted also rice of the variety called 'malagkit' but no share was given to the landlord.

"The question at issue is whether or not there is sufficient cause or causes for landlord Fidel Makapugay to eject the herein tenants.

"Premises considered, the Court is of the opinion, and so holds, that the herein tenants have been grossly negligent in the performance of their duties to the prejudice of the harvest of the entire landholding in question and have committed acts which constitute just cause for their ejectment, in accordance with sub-paragraph 2 section 19, Act 4054 as amended.

"In view of the foregoing, landlord Fidel Makapugay is hereby authorized to dispossess his tenants, Celedonio Santos, Pantaleon Valenzuela, Domingo Valenzuela, Mariano Geronimo, and Fabian Geronimo from the landholdings situated at Tenejeros, Pulilan, Bulacan, subject to the provisions of sections 21 and 22 of Act 4054 as amended.

"So ordered."

On August 21, 1952, the petitioners filed a motion for reconsideration based on the grounds that the decision was not supported by the evidence and is contrary to law, and that irregularities were committed or took place during the trial, prejudicial to petitioners' rights. Before this motion for reconsideration could be acted upon by the Court

of Industrial Relations in banc, a joint motion dated December 18, 1952, signed by Fidel Makapugay on the one hand and Ismael Gali, attorney for petitioners, on the other, was filed in the Court of Industrial Relations, praying that movants be allowed to withdraw their respective suits, on the ground that, with respect to the harvest during the 1952-1953 agricultural year, they arrived at the following stipulations, "a. That the sharing shall be on the 70-30 basis; b. That the landlord's share of the seedlings shall be reimbursed or returned; c. That the landlord shall have at his option his representative in the liquidation of the harvest who shall take delivery of his share; and d. That all the expenses in cultivation shall be in equity and for the account of tenants in accordance with law." In the motion it was also prayed that the foregoing stipulations be sanctioned by the court. Under date of January 8, 1953, Presiding Judge Roldan issued a resolution providing that: "if the intention of the parties is to withdraw all suits including the motion for reconsideration, this Court has no objection and, therefore, approves the withdrawal of the motion for reconsideration,"

Under date of, January 20, 1953, the petitioners filed a motion for clarification, in essence alleging that it was the primary intention of the parties in filing the joint motion of December 18, 1952, to have an amicable settlement and to withdraw the two suits, namely, cases Nos. 3625-R and 3715-R. Upon the other hand, Fidel Makapugay filed a motion dated February 13, 1953, alleging that he signed the joint motion in the belief that its only purpose was to withdraw petitioners' motion for reconsideration in return for the agreement of Fidel Makapugay to divide the current harvest on a 70-30 sharing basis; that he would have not signed the motion if the result would be the withdrawal of his suit against the petitioners wherein he had already obtained a favorable judgment; and praying that the parties be placed in status quo.

The, Presiding Judge Roldan issued a resolution dated March 27, 1958, the dispositive part of which reads as follows; "Evidently, the Court in approving the resolution allowing the withdrawal of the motion for reconsideration of August 20, 1952, which was pending hearing in the Court in banc, did so without including the withdrawal of the suits because they had already been decided by the said Court. If it is pretended that the joint motion includes the withdrawal of the suits, this Court hereby denies said joint motion but sets aside the resolution of January 8, 1953 and reinstates the motion for reconsideration of August 20, 1952 in the calendar of the Court." On October 24, 1953, the Court of Industrial Relations in banc promulgated a resolution denying the petitioners' motion for reconsideration, on the ground that after a careful perusal of the evidence as well as the oral and written arguments of both parties, it failed to find sufficient justification for altering or modifying the decision of Presiding Judge Roldan dated August 13, 1952. Hence the petitioners instituted the present petition for review on certiorari.

One of the grounds invoked by the petitioners herein is that the lower court rendered its decision, based on the evidence presented by only one party, the landlord, while petitioners' evidence was not given weight. It is needless to state that under the rules and repeated decisions of this Court, findings of fact of the Court of Industrial Relations in an appeal by certiorari are conclusive and cannot therefore be reviewed. While we are not insensitive to the situation of the petitioners who have held the land in question for many years under tenancy, we are constrained to accept the facts as found by the Court of Industrial Relations, considering that we have to apply the law with impartial uniformity.

The petitioners have pointed out certain irregularities which allegedly prejudiced their rights. For instance they claim that (1) their motion for a bill of particulars in case No. 3715-R was denied; (2) the two cases were tried and decided jointly although they are not identical, and the decision was rendered after the trial of only one case; (3) without authority from the Court of Industrial Relations Atty. Miguel Valera replaced Atty. Sontuico as commissioner to hear the cases; (4) the Court of Industrial Relations did not give due course to petitioners' motion for ocular inspection; (5) the hearing on petitioners' motion for reconsideration by the court in banc was

suspended until the missing portions of the records were found; (6) the court failed to approve the amicable settlement and withdrawal of two suits as prayed for in the joint motion dated December 18, 1952; and (7) the petitioners were not able to cross-examine one of the witnesses for the landlord because commissioner Valera took over the hearing in the afternoon of June 20, 1952, and prevented the petitioners from cross-examining said witness.

Even if these irregularities were actually committed, we are unable to hold that petitioners' substantial rights were prejudiced. It is noteworthy that in the hearing held before commissioner Valera in the afternoon of June 20, 1952, the parties, through their respective attorneys, entered into the following stipulations:

"The Commissioner

"All right, we will now proceed.

"Attys. Lindayag and Gali jointly manifesting ...

"In order to abbreviate the proceedings "of this case, counsel of both parties have agreed on the following stipulations of facts, to wit:

"1. That the petitioner is intending to lease and/or sell the landholding in question,

"2. The pilapiles are now repaired,

"3. That Pantaleon Valenzuela and Celedonio Santos, if presented, would testify that they did not plant malagkit in the last agricultural year, and

"4. That the balon occupies a small portion of the landholding of Celedonio Santos and Pantaleon Valenzuela and that it is customary to have this balons in that place,

"5. That they would deny that a portion of their landholding were left uncultivated.

"Atty. Gali

"I am submitting the map representing a rough sketch of the landholding in question and I request that it be marked as Exh. 'A' for the tenants.

"The Commissioner

"Let that map be marked as Bxh. 'A' for the tenants.

"Special Deputy

"Mark the map as directed, Exh. 'A' for the tenants.

"Atty Gali

"I am manifesting that the lower portion of the landholding in question are already planted and the seedling are already grown and ready for transplanting.

"In this connection, I pray that the. Court would send a Commissioner to verify this statement by going to the premises.

"The Commissioser

"The Court shall, if necessary so as to be guided accordingly in the proper determination of the case, by moto proprio, send a representative to go to the premises to verify that statement of counsel for the tenants.

"Atty. Gali

"With the presentation of Exh. 'A' for the tenants, I rest my case.

"The Commissioner

"Won't counsels for parties file their respective memorandum?

"Attys. Gali and Lindayag jointly manifesting ...

"We will file, Mr. Commissioner.

"The Commissioner

"All right, counsels are hereby given 5 days upon receipt of their copies of the transcript of this case within which to file their respective memorandum simultaneously."

In view of said stipulations, the petitioners cannot now complain about most, if not all, of the irregularities above mentioned, because proper reservations or objections could and should have been made during the aforesaid hearing. At any rate, under section 20. of Commonwealth Act No. 103, In the hearing, investigation and determination of any question or controversy and in exercising any duties and power under this Act, the Court shall act according to justice and equity and substantial merits of the case, without regard to technicalities or legal forms and shall not be bound by any technical rules of legal evidence but may inform its mind in such manner as it may deem just and equitable."

With reference to the joint motion dated December 18, 1952, the motion for clarification dated January 20, 1953, filed by for petitioners, and the motion dated February 13, 1953, filed by attorney for Fidel Makapugay, we are of the opinion that the action of the Court of Industrial Relations, first, in issuing the resolution of January 8, 1953 and, secondly, in promulgating the resolution March 27, 1953, is proper specially in view of the disavowal by Fidel Makapugay of the recital or primary object of the joint motion.

The joint trial of and joint decision in the two cases are likewise appropriate, since the mam issue in both suits same namely, whether the petitioners are guilty of such acts or omissions as would be sufficient to warrant their ejection under Act No. 4054, as amended.

The suspension of the hearing on petitioners' motion for reconsideration on September 22, 1952, when it was discovered that a portion of the transcript was missing, far from being criticized, was the most logical thing for the court to do. Indeed, no sooner had the misplaced transcript been located than the consideration of petitioners' motion for reconsideration was resumed on October 1, 1952, and court resolved the same on October 24, 1952.

Wherefore, the decision complained of is affirmed. So ordered without costs.

Bengzon, C. J., Padilla, Montemayor, Reyes, A., Jugo, Bautista Angelo, Labrador, Concepcion, and Reyes, J.B.L., JJ., concur.

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