

RE: AGRIPINO A. BRILLANTES, ROMEO R. BRINGAS, COMPLAINANT.

A.C. No. 1245. March 02, 1977

Ponente: CASTRO, C.J.

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CASTRO, C.J.:

This is a review of the decision of the Court of First Instance of Abra, Branch II, suspending Atty. Agripino A. Brillantes of Bangued, Abra from the practice of law for a period of two (2) years.[1]

On July 18, 1972, a complaint, docketed as Civil Case 657, was filed with the Court of First Instance of Abra, by the spouses Melchor and Valentina Bernardez against the spouses Joaquin and Angustia Balmaceda for recovery of a parcel of land which said complainants allegedly acquired from Tranquilina Vda. de Pabalan under a deed of sale dated September 18, 1969, registered in the Office of the Register of Deeds of Abra on September 30, 1969.

At the pre-trial conference of the above Civil Case 657 on September 13, 1972, the defendants, thru their Counsel, the herein respondent Brillantes, claimed that they were not the real parties in interest. They exhibited a duplicate copy of a deed of sale dated April 13, 1969 of the land in dispute executed by Tranquilina Vda. de Pabalan in favor of Dr. Restituto Balmaceda, an alleged son of the defendants, which was notarized by the respondent Brillantes. Due to that manifestation, Dr. Balmaceda was named as an additional defendant in Civil Case 657.

On January 8, 1973, the parties entered into a stipulation of facts, the pertinent portions of which are quoted hereunder:

"1. That there exists a duly notarized document, dated September 18, 1969, marked Exhibit 'A', the due execution of which is admitted by the defendants;

"x x x

"5. That there exists, too, a document, dated April 13, 1969, not notarized, marked as Exh, '1' the due execution of which is also admitted by the plaintiffs;

"x x x

"7. That the parties hereby waive presentation of further evidence and whatever claims for damages they may have against each other.

"WHEREFORE, on the bases of the above stipulation of facts, that is, which deed of sale shall prevail: a duly notarized one, executed later but duly registered, or a document, not notarized, but executed earlier? -- the parties hereto respectfully submit the case for decision."

Based on that stipulation and the various documentary evidences presented by both parties, the trial court, with Judge Leopoldo B. Gironella presiding, rendered its decision, dated February 7, 1973, declaring the plaintiffs as the true and lawful owners of the land in dispute. The decision a quo contained the following observation:

"Anent Exhibit '1', its genuineness [sic] is doubted by this Court. It is very obvious from the record that there are two documents marked as Exhibit '1' personally presented and marked by counsel for the defendants, Atty.

Agripino Brillantes. The first document (Deed of Sale in favor of Dr. Restituto Balmaceda) marked as Exhibit '1' is a carbon original copy duly notarized by Atty. Agripino Brillantes and sealed with his notarial seal and is found on page 22 of the record. The second document marked as Exhibit '1' is the original copy of the first document but the acknowledgment of Atty. Agripino Brillantes is mutilated or cut-off, making it appear as an unnotarized document. However, the notarial seal of this document is clear and more so of its being mutilated to make it appear as unnotarized document.

"On this point, the Court has taken judicial notice of the records of Commissioned Notaries Public of the Province of Abra and Atty. Agripino Brillantes was never commissioned as Notary Public and in fact, has no record particularly for the year 1967 to the present. This explains the discrepancy and by logical deduction, Exhibit '1' is a spurious and falsified document drawn to suit defendants' defense."

Meanwhile, on December 15, 1972, Atty. Romeo R. Bringas, a nephew of the defendants in Civil Case 657, filed with the Court of First Instance of Abra two sworn complaints against Atty. Brillantes alleging that the latter notarized a deed of sale of real property on April 13, 1969 without being commissioned as a notary public in violation of Article 171 of the Revised Penal Code^[2] and knowingly introduced the said deed as evidence in Civil Case 657 in violation of the last paragraph of Article 172 of the Revised Penal Code.^[3] The complaints were heard in preliminary investigation by Judge Leopoldo B. Gironella who found a prima facie case against the accused. On March 16, 1973 two separate informations for falsification were filed against Atty. Brillantes.^[4]

Prior to the filing of the charges by the fiscal, Atty. Bringas filed an unverified motion in the sala of Judge Gironella praying that Atty. Brillantes be suspended from the practice of law in view of the "strong prima facie cases" found against him. Over his objection, the trial judge ordered Atty. Brillantes to file an answer. Thereafter, the matter was heard on the merits. Incidentally, on September 7, 1973, Judge Gironella ordered his clerk of court to enter the case as a separate administrative case on the notion that it cannot be merged with the "mother" criminal complaints.

On September 10, 1973, Judge Gironella rendered a decision ordering the suspension of Atty. Brillantes from the practice of law for two years "effective upon receipt of this decision." His findings are as follows:

"On September 14, 1972, during the pendency of Civil Case No. 657 before this Court, the Executive Judge of the Court of First Instance of Abra, the Hon. Juan P. Aquino, in answer to a letter inquiry from the Presiding Judge of this Court, categorically stated that Atty. Agripino Brillantes, respondent herein, was never commissioned as Notary Public for the province of Abra since 1967 to the present (Exhibit A-1). On the basis of the two documents and the certification of the Hon. Juan P. Aquino, respondent was charged for Falsification of Public Documents docketed as Criminal Cases Nos. 242 and 243 for preliminary investigation. The Court found a strong prima facie case against the respondent and accordingly, directed the Provincial Fiscal to file the corresponding information x x x.

"It is further established by the testimony of the Clerk of Court, Atty. Gelacio Bolante, that the signature appearing above the type-written name Atty. Agripino Brillantes, after the acknowledgment, in Exhibit 'A-1' (Deed of Sale), is the genuine signature of Atty. Agripino Brillantes being familiar with it as the respondent had been practising for a long time in Abra.

"The defense of respondent Atty. Agripino Brillantes consisted of denial. He denied that the signature appearing in Exhibit 'B' was his signature. Except for this denial by his testimony, no other evidence was introduced by him.

"After a painstaking study of the evidence for the complainant and the respondent, the Court finds the evidence supporting the charge very persuasive and positively point per adventure of doubt that respondent Atty. Agripino Brillantes acted as a Notary Public and did [in] April, 1969, notarized [sic] Exhibit 'B-3' (Deed of Absolute Sale) without being commissioned as such and intentionally presented the same as exhibit during the

pre-trial hearing on September 13, 1973 in Civil Case No. 657. Thus, delaying the proceedings by causing the plaintiffs in that case to amend their complaint (Exhibits B, B-1, B-3, C, C-1, D, D-1, E, E-1, J and M).

"His denial that the signature appearing in Exhibit 'A-1' (notarized Deed of Sale) which he exhibited in Civil Case No. 657 stands strongly contradicted by his own acts: First, as counsel for the defendants in Civil Case No. 657, he admitted Exhibit 'B' being notarized (Exhibit B); Second, during the preliminary investigation of Crim. Case No. 243, he admitted his signature in Exhibit 'B' (Exhibit I); and, Third, having presented the same notarized document during the pre-trial and marked and identified the same as Exhibit '1' in Civil Case No. 657, fully aware of his signature in said document. On this score, the respondent stated during the pre-trial: 'x x x It is contend-ed by the defendants that the land now described in the complaint was previously sold to Dr. Resti-tuto Balmaceda and that Deed of Sale is a carbon copy all of which we asked that it be marked as Exhibit '1' for the defendant and that the real parties in interest being the vendee in Exhibit '1' is Dr. Balmaceda. Any adjudication in this case as against the defendant in which Dr, Balmaceda is not included as party may not affect him but although under the situation we may submit . . . we are submit-ting for pre-trial in connection with this case for the purpose of giving appreciation of proof x x x,' (Exhibit 'M-1'). A xerox copy of Exhibit '1' referred to by the respondent is Exhibit B in this case.

"As an old brilliant practi-tioner, it cannot be said that he was not aware of his signature affixed in Exhibit B when he pre-sented the same in Civil Case No. 657. Worse, he introduced the original copy which was cut-off leaving the notarial seal visible and readable. All these acts of the respondent strongly militate against him. Comparing the genuine signature of the respond-ent appearing in his pleadings and other documents attached to the records of the case to that of his signature in Exhibit 'B-2,' it is safe to conclude that the denied signature is the genuine signature of the respondent.

"In view of the foregoing, it is the considered opinion of this court that the acts of the res-pondent indubitably shown by the evidence offered and admitted certainly constitute malpractice or gross misconduct in the office of an attorney at law and a viola-tion of his oath of office 'to do no falsehood, nor consent to the doing of any in court and to conduct himself as a lawyer according to the best of his knowledge and discretion with all good fidelity – to the courts'. The Court sympathizes with the respondent considering his being over 60 years old and allegedly a 10th placer of the Bar. But, the law is the law and the honor and dignity of the profession and the administration of justice shall be upheld. x x x"

Pursuant to Section 29, Rule 138 of the Rules of Court, supra, the foregoing decision was elevated to this Court for review.

On November 6, 1973, this Court denied a peti-tion of respondent Atty. Brillantes to lift the immediate effectivity of his suspension.

On March 1, 1974, a supplemental complaint was filed by Atty. Bringas in this Court, alleging as follows: (1) on July 31, 1972 the respondent; without being commissioned as a notary public, administered the oath in a petition for certiorari and mandamus with preliminary injunction filed in the Court of Appeals as C.A.-G.R. No. SP-01828; and (2) notwithstanding his suspension, the respondent filed on behalf of the petitioner in C.A.-G.R. No. SP-01828 a "Petition for Extension to Comply with Order" which required him to comment on a telegram received by the Court of Appeals that he (the res-pondent) was not a duly commissioned notary public in 1972 and a "Motion for Dismissal" of the said case. In this connection, the record of C.A.-G.R. No. SP-01828 shows that the respondent did not directly and categorically answer the query of the Court of Appeals, but merely replied that the petitioner in C.A.-G.R. No. SP-01828 died on December 6, 1972 and the heirs could not be contacted. The motion for dismissal was filed on December 26, 1973 to apprise the Court of Appeals that the heirs of the deceased (Pedro Beroña) "have decided not to continue this case."

On September 20, 1974, acting on the mani-festation of Atty. Brillantes that he was a duly commissioned notary

for the 1968-1969 term [to support which he submitted a carbon copy of his alleged commission, oath of office, and a receipt by the clerk of court (whose name is not revealed thereon) of his notarial books and monthly reports typed on a small slip of paper, all of which do not bear the seal of the court a quo and showed only an undecipherable initial over the typewritten name of Judge Macario M. Ofilada, who allegedly issued the respondent's commission, and a deputy clerk of court, Isidoro B. Valera, who allegedly administered the oath], this Court required (1) the respondent to submit the original of his appointment and oath of office; (2) Judge Ofilada to certify to the truth of the appointment claimed; and (3) deputy clerk of court Valera to certify to his administration of the oath of office to the respondent.

On October 22, 1974, Judge Ofilada filed a manifestation that "to his best recollection, Mr. Agripino A. Brillantes was not appointed notary public for the term beginning January 8, 1968 and ending December 31, 1969." Gelacio B. Bolante, clerk of court below, reported that "according to the records available in his office, Atty. Agripino A. Brillantes was not appointed Notary Public for the term" 1968-1969. A check of the certified list of commissioned notaries for the province of Abra, covering the years 1966 to 1973, also showed that the respondent was not appointed a notary in any of those years. Deputy Clerk of Court Valera did not make any reply to this Court's summons.

The defenses interposed by the respondent in the court a quo and as well in this Court may be briefly stated as follows:

1. It is the Supreme Court alone under Rule 139 of the Rules of Court, and therefore, not the court a quo, which has jurisdiction over a complaint for suspension of an attorney. Said complaint should also be under oath.
2. Under Rule 139-A of the Rules of Court which took effect on January 16, 1973, it is the Integrated Bar of the Philippines thru an appropriate grievance committee rather than courts of first instance, that has jurisdiction to try cases involving suspension or disbarment of a member of the Bar,
3. The deed of sale marked Exhibit "1" in Civil Case 657 is a genuine document as admitted by the parties themselves in their stipulation of facts. Consequently, the acknowledgment thereof before a notary public is no longer necessary or relevant. Moreover, the finding below that the said deed is "spurious" is a prejudicial question which has not yet been finally disposed of by the appellate courts.
4. The charges in the instant case are identical with those made in the criminal information filed against the respondent. The final disposition of said criminal cases should, therefore, be awaited as they pose prejudicial questions.
5. The constitutional right of the respondent to an impartial trial was violated by the refusal of Judge Gironella to inhibit himself from presiding over the trial of the administrative complaint.
6. The allegations, contained in the supplemental complaint of Atty. Bringas are not true.
7. As to the charge contained in the second supplemental complaint of Atty. Bringas, the Rules of Court allows any person, who need not be a member of the Bar, to appear as a friend of a party before the municipal courts.

We shall discuss seriatim the merits of the foregoing arguments.

1. The theory that it is only this Court which may proceed to take cognizance of a suspension or disbarment proceeding in accordance with the procedure outlined in Rule 139 of the Rules of Court was already put in issue before and rejected. In *Tajam vs. Cusi*,^[5] this Court held that the contention ignores the fact that Rule 139 pertains to the rules for investigation and hearing of a suit started in or by the Supreme Court. It does not necessarily cover proceedings initiated in or by courts of first instance which are authorized to do so by Rule 138

of the Rules. Section 28 of Rule 138 states:

"Sec. 28. Suspension of attorney by the Court of Appeals or a Court of First Instance. -- The Court of Appeals or a Court of First Instance may suspend an attorney from practice for any of the causes named in the last preceding section, and after such suspension such attorney shall not practice his profession until further action of the Supreme Court in the premises."

Rule 138 likewise prescribes the basic essentials that courts of first instance should follow in suspension proceedings, namely,

"Sec. 30. Attorney to be heard before removal or suspension.-- No attorney shall be removed or suspended from the practice of his profession, until he has had full opportunity upon reasonable notice to answer the charges against him, to produce witnesses in his own behalf, and to be heard by himself or counsel. But if upon reasonable notice he fails to appear and answer the accusation, the court may proceed to determine the matter ex parte."

The adoption of rules specified in Rule 139 of the Rules of Court is merely optional on courts of first instance as explicitly stated therein, to wit:

"Sec. 9. Procedure in Court of Appeals or Courts of First Instance. -- As far as may be applicable, the procedure above outlined shall likewise govern the filing and investigation of complaints against attorneys in the Court of Appeals or in Courts of First Instance.' In case of suspension of the respondent, the judge of first instance or Justice of the Court of Appeals shall forthwith transmit to the Supreme Court a certified copy of the order of suspension and a full statement of the facts upon which same is based."

The fact that the court below took cognizance of Atty. Bringas' motion against Atty. Brillantes even if it was not verified has no jurisdictional significance. That motion was filed as an off-shoot of the preliminary investigation conducted by the court a quo on the basis of the sworn complaints filed by Atty. Bringas against the respondent for falsification and introduction of falsified evidence in a judicial proceeding. Under the circumstances, this Court finds no substantive justifying purpose to be served by adhering to the prescription that a complaint against a lawyer be under oath. At all events, this Court has already overruled a similar plea, in *Tajam vs. Cusi*, supra, with these words:

"It should be observed that proceedings for the disbarment of members of the bar are not in any sense a civil action where there is a plaintiff and the respondent is a defendant. Disciplinary proceedings involve no private interest and afford no redress for private grievance. They are undertaken for the purpose of preserving courts of justice from the official ministrations of persons unfit to practice in them. The attorney is called to answer to the court for his conduct as an officer of the court. The complainant or the person who called the attention of the court to the attorney's alleged misconduct is in no sense a party, and has generally no interest in the outcome except as all good citizens may have in the proper administration of justice. The court may therefore act upon its own motion and thus be the initiator of the proceedings; because, obviously the court may investigate into the conduct of its own officers. Indeed it is not only the right but the duty of the Court to institute upon its own motion proper proceedings for the suspension or the disbarment of an attorney, when from information submitted to it or of its own knowledge it appears that any attorney has so conducted himself in a case pending before said court as to show that he is wanting in the proper measure of respect for the court of which he is an officer, or is lacking in the good character essential to his continuance as an attorney. This is for the protection of the general public and to promote the purity of the administration of justice."

2. The referral to Rule 139-A of the Rules of Court is misplaced and premature. Neither in Rule 139-A which ordained, by Court rule, the integration of the Philippine Bar nor in the By-laws of the Integrated Bar of the Philippines which took effect on November 1, 1974 can any provision be found withdrawing from the courts the authority to investigate and decide complaints against erring members of the Bar.

3. It is irrelevant and immaterial to this proceeding that the parties a quo in Civil Case 657 expressly accepted the genuineness of the questioned deed of sale marked therein as Exhibit "1." That was purely a matter of personal judgment and affected solely their private interests. The case at bar is of a different complex and nature. Here, a lawyer's fealty to his oath and public duties is intimately and inextricably involved, nay affected. The primary objective of the instant action is to determine whether the respondent notarized a deed of sale of a parcel of land without being duly appointed as a notary public and introduced the same as evidence in court, thereby flagrantly violating his duties as an officer of the court.

This Court is convinced, after a thorough -going examination of the evidence on which the judge below anchored his findings and conclusions, that the same are valid and correct. Indeed, we ordered, of our own accord, a re-check of the evidence below, and the result thereof showed positively that the respondent's pretenses are feigned.

At the hearing before this Court, Atty. Brillantes claimed that he had in his possession evidence which would prove that he was commissioned a notary in 1969. What he presented to this Court, however, were carbon copies of an alleged notarial appointment and an oath of office which did not even bear the signature of the officials concerned, were not covered by the seal of the issuing court and, although they had what appeared to be initials, did not least resemble any of the first letters of the names or surnames of the alleged officials who issued the same. In fact, the appointment of the respondent as a notary was denied here by the very person who supposedly gave him the said commission. The clerk of court below, who was supposed to have issued the carbon copy of the slip of paper filed in this Court by the respondent wherein receipt of the latter's notarial books and monthly reports was acknowledged, also denied that the respondent was appointed notary for Abra during the 1968-1969 term.

The record shows and the respondent asseverates 'that he has been for a long time an active practitioner in the courts of the province of Abra. It is, therefore, quite difficult to conceive that Judges Ofilada and Aquino and the clerk of court below would not know or recall that the respondent was given a notarial commission if such were really the case. As it is, a check of the records of the court below of the names of persons who were given notarial commissions from 1966 to 1973 for the province of Abra failed to show that he ever applied for a commission in any of those years or was given one. For a seasoned practitioner like the respondent, it is quite remarkable and certainly unmitigating that instead of simply presenting satisfactory evidence of his appointment as a notary which is required by law to be made in official form, he should choose to avail himself vigorously of technical defenses, such as that the trial judge below should inhibit himself from trying the administrative complaint and the criminal cases filed against him; that the complaint for his suspension from the practice of law should be tried by a grievance committee of the Integrated Bar; that the final disposition of the appeal of Civil Case 657 should be awaited; and that the case at bar "is a bickering of another member of the Bar who pretends to be a Super Citizen and guardian of Public Weal" which, it is urged, should not be seriously entertained by this Court. When the Court of Appeals ordered him in a case therein where the respondent is counsel for the petitioner, to inform it whether he was a duly commissioned notary public, the respondent instead of giving either a "yes" or "no" answer, informed the Court of Appeals that his client is already dead. All such beating around an otherwise simple, uncomplicated matter which the respondent could confront squarely if he were honestly and sincerely appointed notary, does not avail him any good. It, in fact, reveals his desperate position. Hence, the necessity to encapsulate himself in a shell to forestall an inquiry into the real merits of the case. Procedural norms, however, have their limits. As this Court said in *Alonzo vs. Villamor*[6] "Technicality, when it deserts its proper office as an aid to justice and becomes its great hindrance and chief enemy, deserves scant consideration from courts."

4. The contention that the criminal cases now pending against the respondent pose prejudicial questions to the resolution of the primordial issue in the instant proceeding has no merit. First, the respondent has not cited, and

this Court does not find, any provision of the Constitution, the statutes, or the Rules of Court which can justify the theory. Second, in a criminal case it is the duty of the prosecution to prove that the accused 'is guilty beyond reasonable doubt of the crime charged, which is not so in a suspension or dis-barmen proceeding where only clearly preponderant evidence is required.[7] Third, an accused in a criminal case may escape conviction not necessarily on the ground that he did not commit the acts charged in the information. Not infrequently, criminal cases pending in trial courts are dis-missed on account of the failure of witnesses for the prosecution to appear and testify or on account of a sworn desistance by the complainant. And fourth, in our opinion, it is not sound judicial policy 'to await the final resolution of a criminal case before we may act on a complaint or information against a lawyer and impose the judgment appropriate to the facts. Otherwise, this Court as well the courts below will be effectively rendered helpless from vigorously applying the rules on admission to and continuing membership in the legal profession during the whole period that the criminal case is pending final disposition when the objectives of the two proceedings are vastly disparate.

5. The charge that the respondent's right to an impartial trial was violated cannot be sus-tained. No specific act of hostility or prejudice toward the respondent by the judge below has been pointed out to this Court. The only reason cited is that Judge Gironella, who penned the decision suspending the respondent, was the one who tried and rendered the decision in Civil Case 657 and likewise the same magistrate who conducted the preliminary investigation of the criminal complaints filed by Atty. Bringas against the respondent for falsification and introduction of falsified evidence in a judicial proceeding. These, by themselves, however, are not sufficient indicia of lack of impartiality of the judge below.

The principal and basic charge against the respondent is that he was not a duly commissioned notary public in 1969 for Abra when he notarized the deed of sale marked Exhibit "1" in Civil Case 657. Since the appointments of notaries public are a matter of public record and require formal documentation, all that the respondent needed to do was to show to the court below his appointment papers. This he failed to do. An inquiry was made by the judge a quo from the Executive Judge of the Court of First Instance of Abra, Juan P. Aquino; whether the respondent was appointed a notary public in the years 1967 to 1970; the answer, which was dated September 14, 1972, or before the court below transferred from the Capitol Building to its present site on September 26, 1972, was in the negative.

At any rate, the entire record of the case below was elevated to this Court and the respondent was accorded ample opportunity to demonstrate that the findings below are erroneous. We are satisfied from the evidence before us that the respondent, with malice aforethought, falsely pretended that he was appointed a notary public in 1969 when he notarized the deed of sale marked Exhibit "1" in Civil Case 657.

What made the respondent's pretensions unpar-donable, however, was his act of presenting to this Court spurious and falsified evidence of his alleged commission. Instead of accepting his misdeeds and asking for leniency, the respondent chose to sow even more falsehood. The alacrity of the respondent in foisting deception on this Court is, in the perspective of his long years in the Bar, a manifest sign that as the respondent has gained in age, he has veered further away from life's virtues. By his persistent disregard of the lawyer's credo "to do no falsehood, nor consent to the doing of any in court," the respondent has demonstrated beyond cavil that he is not fit and worthy to con-tinue in the distinguished and exalted calling of the Bar.

In view of all the foregoing, this Court does not consider it necessary to resolve the additional issues raised in the supplemental complaints of Atty. Bringas.

ACCORDINGLY, Agripino A. Brillantes of Bangued, Abra is hereby disbarred. This decision shall be immediately executory.

Fernando, Teehankee, Barredo, Makasiar, Antonio, Muñoz Palma, Aquino, Concepcion, Jr., and Martin, JJ., concur.

[1] Section 29, Rule 138 of the Rules of Court provides: "Upon suspension by Court of Appeals or Court of First Instance, further proceedings in Supreme Court. -- Upon such suspension, the Court of Appeals or the Court of First Instance shall forth-with transmit to the Supreme Court a certified copy of the order of suspension and a full statement of the facts upon which the same was based. Upon receipt of such certified copy and statement, the Supreme Court shall make full investigation of the facts involved and make such order revoking or extending the suspension, or removing the attorney from his office as such as the facts warrant."

[2] Art. 171 provides: "The penalty of prision mayor and a fine not to exceed 5,000 pesos shall be imposed upon any public officer, employee, or notary who, taking advantage of his official position, shall falsify a document by committing any of the following acts: x x x"

[3] Art. 172 states: "The penalty of prision correccional in its medium and maximum periods and a fine of not more than 5,000 pesos shall be imposed upon: x x x Any person who shall knowingly intro-duce in evidence in any judicial proceeding or to the damage of another or who, with the intent to cause such damage, shall use any of the false docu-ments embraced in the next preceding article or in any of the foregoing subdivisions of this article, shall be punished by the penalty next lower in degree."

[4] The Court of First Instance of Abra belongs to the Second Judicial District and has two branches. (See Section 52, R.A. 296, as amended by R.A. 6092 on August 4, 1969). Judge Leopoldo B. Gironella and Judge Juan P. Aquino (of Branch I) inhibited them-selves from trying the two criminal cases against Atty. Brillantes

[5] 57 SCRA 154; G.R. No. L-28899, May 30, 1974.

[6] 16 Phil 322.

[7] Lim vs. Antonio, Adm. Case No. 848, Sept.30, 1971, 41 SCRA 44.

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