

ALEJANDRO BALATBAT, COMPLAINANT, VS. JUDGE JESUS DE VEGA, RESPONDENT.*A.M. No. 2426-CFI. August 31, 1981*

Ponente: BARREDO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/a-m-no-2426/>**BARREDO, J.:**

Administrative complaint dated September 30, 1980 against respondent judge, complainant alleging to be the victim of an unjust decision, "knowingly" rendered by said respondent and also ignorance of the law. Deputy Court Administrator, Hon. Romeo D. Mendoza, referred the said complaint to respondent on November 10, 1980 for comment, which respondent filed in a 2nd Indorsement dated December 12, 1980. A reply to said comment was filed by complainant on February 16, 1981.

We have carefully read the allegations of complainant in his complaint and reply, together with the annexes, and We have done the same to the comment of respondent. After meticulous study and mature deliberation on the report submitted by the Deputy Court Administrator, concurred in by Hon. Lorenzo Relova, the Court Administrator, We are fully convinced that the complaint lacks sufficient merit for further action against respondent.

WHEREFORE, the complaint is hereby dismissed. Let a copy of the report of the Office of the Court Administrator above-referred to, which is made part hereof by reference, be furnished the parties together with this decision.

Fernando, C.J., Makasiar, Aquino, Concepcion, Jr., Fernandez, Guerrero, Abad Santos, De Castro, and Melencio-Herrera, JJ., concur.

Teehankee, J., no part.

170 6 pt 6 pt 0 3 MicrosoftInternetExplorer4 /* Style Definitions */ table.MsoNormalTable {mso-style-name:"Table Normal"; mso-tstyle-rowband-size:0; mso-tstyle-colband-size:0; mso-style-noshow:yes; mso-style-parent:""; mso-padding-alt:0in 5.4pt 0in 5.4pt; mso-para-margin:0in; mso-para-margin-bottom:.0001pt; mso-pagination:widow-orphan; font-size:10.0pt; font-family:"Times New Roman";}

REPORT AND RECOMMENDATION OF COURT ADMINISTRATOR**MENDOZA, J.:**

This is an administrative complaint filed by complainant Alejandro Balatbat against respondent Judge Jesus de Vega of the Court of First Instance of Bulacan, Branch I, Malolos, Bulacan, for "knowingly rendering an unjust decision and for ignorance of the law".

This complaint is an aftermath of respondent's decision of July 28, 1980[1] in Civil Case No. 5494-M against the herein complainant, plaintiff in the said case.

Briefly stated, Civil Case No. 5494-M is for collection of a sum of money based on a written contract entitled "Deed of Transfer of Leasehold Rights", Exhibit "A" (submitted in this complaint as Annex "A", Record, pp. 14-17), filed by the herein complainant against Atty. Gonzalo David. The case was tried in Branch II, but before rendition of judgment, Branch II became vacant and the same was re-raffled to Branch I presided by the herein respondent who decided the same in favor of the defendant.

On the premise that the transaction involved in Civil Case No. 5494-M is governed by a written contract, "Deed of Transfer of Leasehold Right", Exhibit "A", the genuineness, due execution and validity of which was not attacked by the defendant in his filed answer, complainant claims that respondent knowingly violated –

- (1) Section 8, Rule 8 of the Rules of Court when he declared that there was fraud in securing Atty. David's consent in the execution of Exhibit "A";
- (2) Section 2, Rule 9 of the Rules of Court when he declared the nullity of Exhibit "A" without Atty. David pleading the nullity or sought the reformation of the same;
- (3) Section 7, Rule 130 of the Rules of Court when he considered parol evidence against the provision of a written contract;
- (4) Article 1159 of the Civil Code when he ordered the withholding of payment on a ground not provided for in Exhibit "A"; and
- (5) Article 1398 of the Civil Code when he, after declaring Exhibit "A" null and void, did not order the restoration to each other the things which have been the subject matter of Exhibit "A".

Further, complainant claims that respondent did not have the authority to apply Articles 1547 and 1654 of the Civil Code since the transaction involved in Civil Case No. 5494-M is neither a sale nor a lease. It is a "Deed of Transfer of Leasehold Rights"; that respondent cannot apply fairness, equity and justice when the situation is covered by contract and by law; and that respondent, in ordering complainant to pay Atty. David attorney's fees in the sum of P15,000.00 without stating the reason for doing so, violated Section 9, Article X of the Constitution.

Respondent's comment to the instant complaint, appearing in a 2nd Indorsement dated December 12, 1980, may be briefly stated as follows: That complainant, having been frustrated to influence him through the use of influential persons to intervene for his behalf, he now comes with this complaint; that complainant apparently deduced and based his complaint on the alleged erroneous appreciation of the evidence and misapplication of the law committed by him in rendering the questioned decision, and as such, complainant's remedy is clearly to take an appeal and not to institute the instant administrative complaint. Accordingly, it would appear that the instant complaint was filed out of spite and as a means to harass him; that up to this time, he is not conscious of any error committed by him in rendering the said decision, and, he, therefore, categorically and vehemently denies the instant charge against him; that even assuming that he did not commit errors in the said decision, it is well settled that a judicial officer, when required to exercise his judgment or discretion, is not liable for any error he commits, provided he acts in good faith; and that the disputed decision itself offers the best proof of showing the truth or falsity of the instant charge against him.

Complainant, in his "Reply to Comment" dated February 16, 1981, asserts that the complaint, among others, is for gross ignorance of the law, and gross ignorance of the law is another term for incompetence; and that the grounds for the charge were specifically explained, but respondent in his comment did not answer the charge. He merely claims that up to this time, he is not conscious of any error committed by him in rendering the questioned decision; that in a complaint for gross ignorance of the law or incompetence, good faith can never be a defense. For a judge, even if he acts in good faith, who is not equipped with the fundamentals of the law has no place in the judiciary. He should be dismissed from the service. Respondent, in Civil Case No. 5494-M, either acted in an

incompetent manner or in spite of his knowledge of the law, chose to violate the same to favor Atty. David. Accordingly, either way, he should be dis-charged from the service.

The weakness of the instant complaint is apparent.

1. Complainant's remedy, as aptly pointed out by respondent, is to take an appeal from the questioned decision and not to institute an administrative complaint. This Court, in the case of Barrosa vs. Arche,[2] citing the case of Dizon vs. de Borja,[3] ruled that if a litigant disagrees with a judge's rulings in the case, his remedy lies not in filing before this Court an administrative complaint but to point out the errors on appeal from the decision in the same forum, for to hold a judge administratively accountable for every erroneous ruling or decision he renders, assuming that he has erred, would be nothing short of harassment and would make his position untenable.

2. Contrary to complainant's claim, a mere reading of defendant's "Answer With Counterclaim"[4] shows that respondent did have a basis in reaching his conclusion. Paragraph 22 of the same reads:

"22. That on account of the misrepresentation made by plaintiff against defendant in the execution of the deed of transfer of leasehold rights (Annex "A"), x x x."

3. The assailed decision is well presented. Analyzed and discussed are the respective theories of the parties. It contains the established facts and the provisions of law relied upon by respondent in reaching his conclusions, and his conclusions are not without logic or reason. In order that a judge may be held liable for knowingly rendering an unjust judgment, it must be shown beyond doubt that the judgment is unjust as it is contrary to law or is not supported by the evidence, and the same was made with conscious and deliberate intent to do an injustice.[5] To hold a judge administratively accountable for every erroneous ruling or decision he renders, assuming that he has erred, would be nothing short of harassment and would make his position unbearable.[6] And where the facts of record are sufficient to provide a basis for determining whether or not the respondent is to be held administratively liable, a formal investigation is no longer necessary.[7]

IN VIEW OF ALL THE FOREGOING, it is respectfully recommended that the instant case filed against Judge Jesus R. de Vega of the Court of First Instance of Bulacan, Branch II at Malolos be dismissed for lack of merit.

May 27, 1981.

Relova, J., concur.

[1] Record, Annex "F", pp. 97-105.

[2] Adm. Case No. 216-CFI, September 30, 1975, 67 SCRA 161.

[3] Adm. Case No. 163-J, January 28, 1971, 37 SCRA 46.

[4] Record, Annex "B", page 21, par. 22.

[5] In re: Climaco, Administrative Case No. 134-J, January 21, 1974, 55 SCRA 107; and Pabalan vs. Guevarra, Administrative Matter No. 333-CJ, November 24, 1976, 74 SCRA 53.

[6] Sec. of Justice v. Marcos, Administrative Case No. 207-J, April 25, 1977, 76 SCRA 301; and Villa v. Llamas, Administrative Matter No. 326-CJ, July 31, 1978, 84 SCRA 277.

[7] Cresencio Garcia v. Alberto Asilo, Adm. Matter No. P-1769, Feb. 28, 1979, First Division, Fernandez, J.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.