

ALICIA RODRIGUEZ AND FORTUNATO PIZARRO, PETITIONERS, VS. PAULO MARIANO AND COURT OF INDUSTRIAL RELATIONS, RESPONDENTS.

G.R. No. L-6523. January 31, 1955

Ponente: BAUTISTA ANGELO, J.

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BAUTISTA ANGELO, J.:

This is a petition for review of a decision of the Court of Industrial Relations rendered on March 27, 1952 which affirms the decision of the office a quo, or the former Tenancy Law Enforcement Office, holding that Paulo Mariano is a tenant-lessee of the land in question and should be maintained in the peaceful possession and cultivation thereof.

This action was originally instituted by Paulo Mariano before the Tenancy Law Enforcement Office, formerly under the Department of Justice, alleging that he is the tenant of Alicia Rodriguez of a parcel of land situated in Pilar, Bataan; that sometime in May, 1950, defendant Alicia Rodriguez, without just cause, ordered him to vacate the land in favor of one Fortunato Pizarro who was allegedly employed by her as a new tenant and that, thereafter, the land was enclosed with a fence by order of defendant and as a consequence he was prevented from preparing and working the land.

Defendant Alicia Rodriguez, in her answer, alleged that she acquired the land from its former owner Fausto Paguio on March 3, 1950; that Paulo Mariano has no right as tenant the truth being that Fausto Paguio borrowed P600 from Paulo Mariano with the condition that he, Mariano, will cultivate the land only until said sum has been fully paid; that sometime in March, 1950, Fausto Paguio paid his indebtedness of P600 to Paulo Mariano, and thereafter sold the land to defendant Alicia Rodriguez; and that Paulo Mariano's right to possess the land has already ceased.

The Tenancy Law Enforcement Office, after receiving the evidence of both parties, found the following facts to have been established by preponderance of evidence: That Fausto Paguio was indebted to Ubaldo Crisostomo in the sum of P600 and to meet the obligation he obtained a loan for the same amount from the wife of Paulo Mariano; that it was the understanding between Fausto Paguio and his new creditors Paulo Mariano and his wife that the latter will take over the land in question by paying the owner the sum of 50 cavanos of palay per agricultural year; that Paulo Mariano possessed and cultivated the land for the agricultural year 1949-1950, and paid to Fausto Paguio the rental of 50 cavanos of palay corresponding to said crop year; that after receipt of said rental, Fausto Paguio in turn paid to the wife of Paulo Mariano his indebtedness of P600; that on March 3, 1950, Fausto Paguio sold the land to defendant Alicia Rodriguez for the sum of P4,000, and that the new owner placed a new tenant on the land for the crop year 1950-1951.

Upon the foregoing facts, the Tenancy Law Enforcement Office concluded that the relation that existed between Fausto Paguio and Paulo Mariano was one of landlord and tenant and held that Paulo Mariano should be maintained in the peaceful possession and cultivation thereof. In due time, defendant Alicia Rodriguez appealed

from this decision to the Court of Industrial Relations which, as already stated, affirmed the decision of the office a quo.

In the decision which is now subject of appeal, we find that the Court of Industrial Relations did not discuss in full the evidence submitted by the parties to the office a quo, nor touch in any way the facts found by said office, and briefly stated or concluded that Fausto Paguio leased the land to Paulo Mariano who worked it himself and paid a rental of 50 cavanos of palay per agricultural year and that therefore the relation between them is one of landlord and tenant which should be governed by the system of land cultivation contemplated by Act No. 4054, as amended. It said nothing about the claim of respondent Alicia Rodriguez that Paulo Mariano came into the possession of the land in view of the loan of P600 extended by his wife to the original owner, Fausto Paguio.

We believe that the Court of Industrial Relations has not laid the proper factual basis on which this Court may pass intelligently upon the issue involved in this appeal which has reference to the nature of the relationship that has been established between Fausto Paguio, the original owner, and the alleged tenant, Paulo Mariano. As may be seen from the narration of facts made by the office a quo and preponderance of evidence, Paulo Mariano, the alleged tenant, came into the possession of the land as a result of a loan of P600 given by his wife to Fausto Paguio with the understanding that he was to hold it until after said indebtedness has been fully paid. On the other hand, it is claimed by Paulo Mariano that he could work the land as long as he wishes it. We have therefore here two sets of facts which are apparently contradictory and as to which proper finding should be made in order that the issue raised may be properly determined. Such was not done by the Court of Industrial Relations for it curtly concluded, without discussing the evidence, that Paulo Mariano is a tenant who should be accorded the benefits of the Rice Tenancy Law.

Considering that, in a petition for review, only questions of law may be looked into, upon the theory that the findings on the weight of evidence by the Court of Industrial Relations are conclusive, (Section 2, Rule 44, Rules of Court; *Union of Phil. Education Employees (NLU) v. Philippine Education Co.*, L-4423, March 31, 1952) such purpose cannot be accomplished if its findings are incomplete or the decision does not contain a complete coverage of facts as reflected from the evidence presented. Unless this is done, this Court cannot properly fulfill its duty of applying the law as may be warranted by the real facts, and so it becomes necessary that this case be remanded to said court in order that a proper evaluation of the evidence may be made (*Ang Tibay v. Court of Industrial Relations*, 69 Phil., 635).

Wherefore, the Court orders that this case be remanded to the Court of Industrial Relations in order that proper findings of facts may be made as suggested in this decision, after which the case shall be forwarded to this Court for final determination, if proper move is made by the interested party.

SO ORDERED.

Paras, Pablo, Bengzon, Padilla, Montemayor, Jugo, Labrador, Concepcion, and Reyes J.B.L., JJ., concur.

CONCURRING OPINION

REYES, J., concurring

I concur. But in remanding the case to the Court of Industrial Relations for "proper findings of facts", I think we should make it clear that the decision complained of is being set aside so that a new decision may be rendered by that court in accordance with the new findings.

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