

ROMEO S. MAGAT, PETITIONER, VS. PHILIPPINE SPORTS COMMISSION, RESPONDENT.

Ponente: BARRIOS, J.

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BARRIOS, J.:

On August 14, 2006, the parties with the assistance of their respective counsel, filed a Joint Motion for the Approval of the Joint Compromise Agreement which they attached thereto. The full text of the said Compromise Agreement, reads:

The PHILIPPINE SPORTS COMMISSION (PSC), a body corporate created and established under Republic Act No. 6847, with office address at the Administration Building, Rizal Memorial Sports Complex, Pablo Ocampo Sr. St., Malate, Manila, represented herein by its Chairman, HON. WILLIAM I. RAMIREZ, hereinafter referred to as “FIRST PARTY”;
and

ROMEO S. MAGAT, Filipino, of legal age and Proprietor/Owner of MEALBOX RESTAURANT hereinafter known as “SECOND PARTY”,

WITNESSETH, THAT:

WHEREAS, the FIRST PARTY filed a case for unlawful detainer against the SECOND PARTY docketed as Civil Case No. 166947-CV (PSC vs Romeo Magat) in which the Metropolitan Trial Court – Branch 7 of Manila decided in favor of the former. Second Party appealed said case and is now pending before the Honorable Court of Appeals docketed as CA-GR. No. 76477;

WHEREAS, the SECOND PARTY has intimated to vacate the premises subject of the complaint;

WHEREAS, the PSC Board of Commissioners approved by way of Board Resolution No. 241-2006 (Attached herewith as Annex “A” and made integral part thereof) the terms and conditions for the amicable settlement to this issue;

WHEREAS, the PARTIES desiring to avoid a costly and protracted litigation, agreed finally to settle this above-entitled case in accordance with this Compromise Agreement entered freely and voluntarily;

WHEREAS, the FIRST PARTY and the SECOND PARTY agreed to enter into this Compromise Agreement to expedite and facilitate the vacating of the SECOND PARTY the premises in controversy, particularly the space between DECS and the Sports Medicine Building of the Rizal Memorial Sports Complex;

NOW, THEREFORE, for and in consideration of the foregoing premises and of the terms and conditions hereafter set forth, the parties hereto have agreed as follow:

- The FIRST PARTY:

1.1 Shall issue in favor of the SECOND PARTY a disturbance check amounting to One Hundred Fifty Thousand Pesos (PhP150,000.00);

1.2 Undertake to drop all existing cases against the SECOND PARTY including CV Case No. 94-70981, Regional Trial Court, Branch 31, Manila, in order to facilitate the release of the Eighty Nine Thousand Fifty Six Pesos (PhP89,056.00) supersedeas bond in favor of the SECOND PARTY which was paid by him in cash on October 9, 2002;

1.3 Agree to condone all rental arrears of the SECOND PARTY;

- The SECOND PARTY:

2.1 Shall vacate the premises – the space between DECS and the Sports Medicine Building of the Rizal Memorial Sports Complex – without need for a demand within Thirty (30) days upon accomplishment by the FIRST PARTY of its undertakings enumerated in the immediate preceding paragraph designated as 1.1, 1.2 and 1.3.

It appearing that what the parties have entered into is not contrary to law, morals, good customs, public order and policy, the same is approved, and -

WHEREFORE, judgment is hereby rendered in accordance with its full text, and the parties are hereby enjoined to comply therewith. No pronouncement as to costs.

SO ORDERED.

Guariña, III and Tagle, JJ., concur.

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