

SPOUSES FELIPE MONTEMAR, PETITIONERS, VS. HONORABLE AMBROSIO GERALDEZ, IN HIS CAPACITY AS PRESIDING JUDGE OF THE COURT OF FIRST INSTANCE OF MANILA, BRANCH I; JUAN GUEVARA, IN HI...

G.R. No. L-46240. September 09, 1977

Ponente: BARREDO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/ae6e1db7fe71/>

BARREDO, J.:

Petition for certiorari with prayer for the issuance of a writ of preliminary injunction to set aside the orders of respondent court disallowing petitioners' petition to enjoin the execution of the ejectment judgment against them ordered by the City Court of Manila. This Court required respondents to answer and issued the appropriate restraining order on June 16, 1977.

At the hearing on August 12, 1977, upon suggestion of the Court after having clarified the issues between the parties, the parties agreed to enter into an amicable settlement, Under date of August 15, 1977, the parties submitted the following Joint Manifestation:

"PARTIES, assisted by their respective counsels, to this Honorable Court respectfully submit the following Agreement:

"1. To settle their dispute amicably concerning the leased premises pending before this Tribunal and before the courts below considering that the leased premises had become habitable by separate efforts of the parties to repair the premises during the pendency of these cases, the parties hereby as they have agreed as follows.

1) The petitioners shall pay the private respondent Vitar Estate Development Corporation the total amount of ₱4,100.00 representing the rentals withheld (previous payments already deducted) up to August 1977 in accordance with the following schedule:

- a) ₱600.00 shall be paid at the end of August 1977;
- b) the balance of ₱3,500.00 shall be paid within 90 days from September 1, 1977;
- c) All succeeding rentals beginning September 1, 1977 shall all then be updated.

"2. In case the petitioners fail to pay the rentals withheld within the period stipulated they shall voluntarily vacate the premises or else execution shall issue.

"3. All other claims of the parties against each other are hereby waived.

"WHEREFORE, premises considered, it is respectfully prayed that the foregoing agreement be approved."

IN VIEW WHEREOF, and it appearing that the compromise agreement thus submitted by the parties is not contrary to law, morals or public order and will definitely terminate the controversy between the parties, the Court approves, the same and renders judgment in accordance therewith, enjoining the parties to abide therewith. No

costs.

Fernando (Chairman), Antonio, Aquino, Concepcion Jr., and Santosm JJ., concur.

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.