

CONRADO MANDAP, PETITIONER, VS. THE HON. COURT OF APPEALS AND MANUEL SABADO, RESPONDENTS.

G.R. No. L-35680. December 29, 1975

Ponente: ESGUERRA, J.

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ESGUERRA, J.:

This is a petition for review on certiorari of the decision of the Court of Appeals affirming that of the Court of Agrarian Relations, ordering the dispossession of petitioner Conrado Mandap, or any person claiming to possess under him, of the landholding in question, consisting of three hectares situated at Barrio San Rafael, Municipality of Macabebe, Province of Pampanga, and allowing respondent Manuel Sabado to personally cultivate the same after paying to the petitioner the amount of P3,000.00 as disturbance compensation.

After this case had been submitted for decision on October 1, 1973, the petitioner, assisted by the Bureau of Agrarian Legal Assistance, and the respondent submitted a compromise agreement to terminate this case, which reads as follows:

"COMPROMISE AGREEMENT

"COME NOW the Parties assisted by their respective counsel, and to this Honorable Supreme Court respectfully submit the following Compromise Agreement:

"1. Petitioner Conrado Mandap and private respondent Manuel Sabado stipulate that the landholding in question is agricultural containing an area of 3.6360 hectares, more or less, covered by TCT No. 64656-R of the Register of Deeds of Pampanga and situated in Barrio San Rafael, Municipality of Macabebe, Province of Pampanga.

"2. Petitioner agrees that private respondent retains ownership of the aforementioned landholding in question.

"3. In turn, private respondent agrees that petitioner remains the agricultural lessee of the landholding in question.

"4. Petitioner agrees to pay the private respondent the following rental every agricultural year beginning the date of this Agreement:

"a) Seventy (70) cavans of rice on the principal first crop; and

"b) 25% of the harvest on the "latak" second crop, if there is harvest.

"WHEREFORE, it is respectfully prayed that the foregoing Compromise Agreement be approved and a decision be rendered in accordance with its terms and conditions.

"Manila, December 3, 1915.

"S/ CONRADO MANDAP

S/MANUEL SABADO

17 CONRADO MANDAP

T/MANUEL SABADO

Petitioner

Private Respondent.

Assisted by:

"BUREAU OF AGRARIAN

POBLADOR, NAZARENO,

LEGAL ASSISTANCE

AZADA, TOMACRUZ & PAREDES

Dept. of Agrarian Reforms PTA Building

575 Atlanta, Port Area, Manila

Diliman, Quezon City

"By:

By:

S/ OSEAS A. MARTIN

S/ MANUEL SABADO

T/ OSEAS A. MARTIN

II MANUEL SABADO

Trial Attorney Counsel for Private Respondent

PTR No 1397, Jan. 3, 1975, Mia.

"VERIFICATION

"MANUEL SABADO and CONRADO MANDAP, both of legal age, and respectively residents of 38 11th Avenue, Cubao, Quezon City and San Rafael, Macabebe, Pampanga, after having been duly sworn to in accordance with law, hereby depose and state:

"That they are the private respondent and petitioner, respectively, in the above-entitled case;

"2. That they caused the preparation of and have read the foregoing Compromise Agreement;

"3. That the allegations contained therein were translated into Pampanga to petitioner Conrado Mandap; and

"4. That all the allegations contained therein are true and correct to the best of their own knowledge.

S/ MANUEL SABADO

T/ MANUEL SABADO

S/ CONRADO MANDAP

T/ CONRADO MANDAP

"SUBSCRIBED AND SWORN to before me this 8 day of December, 1975 at Manila, Philippines, affiants exhibiting to me their respective Res. Certs. No. A-13757 issued at Manila on January 3, 1975 and A-8070809 issued at Masantol, Pampanga on Feb. 25, 1975.

S/ ILLEGIBLE

Notary Public Until December 31, 1975"

WHEREFORE, the above Compromise Agreement is hereby approved. Judgment is hereby rendered in accordance therewith and the parties are hereby enjoined to comply with, and abide by, its terms and conditions.

Teehankee (Actg. Chairman), Makasiar, Muñoz Palma, and Martin, JJ., concur.

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