

MARIANO ‘LAPINA, PETITIONER, VS. COURT OF AGRARIAN RELATIONS AND ESTEBAN CALINISAN, RESPONDENTS.

G. R. No. L-20706. September 25, 1967

Ponente: DIZON, J.

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DIZON, J.:

Petition to review the decision rendered on September 28, 1962 by the Court of Agrarian Relations (Manila) in CAR Case No. 154 (Cavite 1961).

It appears that during the agricultural year 1959-1960 respondent Esteban Calinisan worked on a parcel of land, about a hectare in size, located at Panapaan, Bacoar, Cavite belonging to petitioner and devoted to the production of salt. Sometime before the start of the following agricultural year, petitioner ejected him therefrom.

Upon advise of his neighbor, auxiliary barrio lieutenant Bartolome Banayad, Calinisan presented his case to the Bureau of Labor (Tenancy Mediation Commission) where pre-litigation mediation, proceedings (CAR M-46, Cavite 1961) were had. The same, however, failed to make the parties settle their differences amicably.

Thereafter, in a petition filed on January 30, 1961 with the above-named Court (CAR Case No. 154 — Cavite 1961), Calinisan alleged that he was dispossessed of the landholding without any lawful cause and authority of the Court on November 5, 1960 when the price of salt rose from P4.00 to P10.00 per cavan; that he received his share in the salt produced during the agricultural year 1959 except half of the remaining 130 sacks of salt deposited in the warehouse. Upon these premises, he prayed that he be reinstated as tenant of Lapina in the land mentioned heretofore and awarded damages.

Lapina denied the existence of tenancy relationship between him and Calinisan, and as affirmative defense averred that he merely allowed Calinisan, upon the latter's request and out of friendship, to help him cultivate his saltbed during the agricultural year 1959-60 so that Calinisan may learn the art and trade of the salt industry, at the same time promising to give him a share in the salt produced, not as a tenant but as helper-apprentice; and that upon the expiration of the agricultural year 1960 Calinisan voluntarily left the landholding. As a counterclaim, he prayed that he be awarded attorney's fees in the sum of P200.00 and the costs of the litigation.

The case was set for hearing for the first time on March 27, 1961 before Commissioner de Vega. As Lapina failed to appear, Atty. Carale, who manifested that Atty. Arturo C. Mojica, senior partner of their law firm, will appear in the case, moved for postponement of the hearing. Because of this the Commissioner reset the case on April 10, but because this date was declared a legal holiday, the case was reset on May 4 of the same year. On that date, Atty. Mojica filed a motion for postponement alleging that Atty. Bartolome S. Carale, who was the one handling the case, was suddenly taken ill the night before, promising to submit the medical certificate later on. The motion was denied in open court, and forthwith Calinisan's evidence was received and thereafter the case was considered submitted for decision.

Six days later (May 10) Lapina's counsel filed a motion to set aside the order of May 4 of the hearing officer

denying postponement of hearing, but on June 22 the then Executive Judge of the Court of Agrarian Relations, the Hon. Guillermo S. Santos, affirmed said order and held that the case was considered submitted for decision upon the evidence submitted by Calinisan.

Petitioner sought reconsideration of the resolution of June 22, 1961 issued by Judge Santos, and on August 11 of the same year, the Court set aside the said order and reopened the case for hearing on August 21, to give petitioner the opportunity to present his evidence.

After due hearing, the lower Court rendered the appealed decision on September 28, 1962, ordering Lapina (1) to reinstate Esteban Calinisan as his tenant in his landholding, and (2) ordering the former to deliver to the latter 300 cavanese of salt as damages by virtue of his unlawful dispossession during the agricultural year 1960-61 and to deliver said yield every agricultural year thereafter until Calinisan's reinstatement.

A motion to reconsider the above decision filed by petitioner on October 26, 1962 was denied on December 15 of the same year.

Hence, the present petition for review.

Three main questions are raised in the petition for review under consideration, namely: that the respondent court erred in believing the testimony of respondent Calinisan; that petitioner was denied his day in court when his motions for postponement of hearing were denied below; and lastly, that the Court of Agrarian Relations had no jurisdiction over the case because it involved a parcel of salt land.

Very little need be said about the question of jurisdiction after our ruling in the Camus case (G. R. No. L-18225) where We said the following:

"Petitioners point out, however, that although the land itself is agricultural salt production is not an agricultural process, that it is not 'cultivation' as the term is used in Section 7 of Republic Act No. 1267, as amended, since agricultural refers to the culture of viable organic matter on the ground, plants, sowing and planting, rearing and gathering the crops, care of fruit and trees and domestic animals. But the same provision, in defining the jurisdiction of the Court of Agrarian Relations, speaks not only of 'cultivation' but also of 'use' of agricultural land 'where one of the parties work the land.' and includes within such jurisdiction 'all those relationships established by law' between said parties. The land involved in the present case is agricultural land the use of which — if not the cultivation is the tie that binds the parties in tenancy relation.

"But whatever doubt there might be from the standpoint of semantics or of word definition the doubt is resolved by the law itself, specifically the Agricultural Tenancy Act (R.A. No. 1199), entitled 'An Act to govern the relations between landholders and tenants of agricultural lands.' Section 46. which prescribes the consideration for the use of land under the leasehold tenancy system (as distinguished from the share tenancy system) classifies lands according to crops produced thereon, and provides in its subsection (c) that "the consideration for the use of sugar lands, fishponds, saltbeds and of land devoted to the raising of livestock shall be governed by stipulations between the parties.' Saltbeds are again mentioned, together with fishponds and lands principally planted to permanent fruit trees, in Section 35 of the new Agricultural Land Reform Code (R. A. 3844) and expressly left to be governed by the former statute. R. A. No. 1199. All this shows the clear intention of Congress to include saltbeds within the purview of the tenancy laws, disputes concerning which come under the jurisdiction of the Court of Agrarian Relations."

Upon the question of whether or not the lower court erred in believing the testimony of Calinisan, the rule is that the findings made by the trial court must be accepted, unless it is shown that they are unfounded or were arbitrarily arrived at, or that said court had failed to consider important evidence to the contrary. In the present case it seems beyond question that no such error had been committed by the trial court, the testimony of Calinisan and his witnesses being obviously sufficient to establish the relationship of landlord and tenant between Lapina,

on one hand, and Calinisan, on the other, and the fact of the latter's ejectment from the former's landholding without sufficient cause.

In relation to petitioner's claim that he was denied his day in court, We are of the opinion and so hold, that the facts of record recited heretofore show conclusively that he had been given every opportunity to present his side of the case, and that in the proceedings below he really tried his best to delay the orderly and speedy disposition of the case.

Wherefore, the appealed decision being in accordance with law and the evidence, the same is hereby affirmed, with costs.

Concepcion, C.J., Reyes, J.B.L., Makalintal, Zaldivar, Sanchez, Ruiz Castro, Angeles and Fernando, JJ., concur.

Decision affirmed.

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