

**VICENTE SALAZAR, PETITIONER VS. THE HON. JOSE M. SANTOS,
JUDGE OF THE COURT OF AGRARIAN RELATIONS, LEONARDO STA.
ROMANA, GAUDENCIO VALDEZ, TEOFILO TINIO AND PEDRO
GRANETA, RESPO...**

G.R. No. L-15890. February 29, 1964

Ponente: BENGZON, C.J.

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BENGZON, C.J.:

In this appeal taken under Rule 44 of the Rules of Court, petitioner seeks the annulment of the decision rendered in CAR Case No. 1379 NE' 58, which decision denied his claim, as tenant, against Leonardo Sta. Romana.

The record bears out the following statement of facts: On January 29, 1951, one of the above respondents, Gaudencio Valdez filed against Vicente Salazar and other persons, in the Court of Industrial Relations [1], TC No. 1647-R-1652-R, a complaint alleging inter alia that he, Gaudencio Valdez, was the landlord of the realty in question and that Vicente Salazar (above petitioner) was one of his tenants. The decision afterwards rendered thereon, in so far as pertinent to the instant case reads:

"IN VIEW OF ALL THE FOREGOING, the complaints are hereby dismissed and petitioner Gaudencio Valdez and/or his authorized representative is ordered to maintain the respondents as tenants on their respective landholdings located at Kitakita and Caanaoan, San Jose, Nueva Ecija. Said respondents are declared and deemed to be the lawful tenants on said landholdings with all the rights and obligations imposed by law."

Afterwards on March 18, 1954, the same Vicente Salazar filed against Leonardo Sta. Romana, in the Court of Industrial Relations branch in Nueva Ecija (Case No. 1965 NE), a complaint for liquidation, stating that he was the tenant of Sta. Romana in the same holding; and that a dispute had arisen as to the proper liquidation of the 1953-1954 crop. After a hearing, said court dismissed the action, without prejudice, holding:

"The tenancy relationship, not having been established, the claim of petitioner for the liquidation of the crop from 1953-1954 cannot be considered. * * *

"It is evident, however, from the records of this case that petitioner-tenant was laboring under a handicap in his efforts to prove his allegations, because he was not assisted by counsel during the proceedings. While this circumstance is one for which he and he alone is responsible, this Court * * * is of the opinion that this present case should be dismissed without prejudice to the filing of another action against respondent or whomsoever is his real and true landholder or employer for proper relief. * * *"

Again on July 21, 1958, Vicente Salazar brought against Leonardo Sta. Romana, Gaudencio Valdez, Teofilo Tinio and Pedro Graneta, in the Court of Agrarian Relations, Case No. 1379-NE, a petition alleging that he was a tenant of respondent Leonardo Sta. Romana over the same parcel of land; that he had been a tenant from 1941 to 1958 when he was forced by the said respondents to leave the place; that after his ejection, respondent Valdez took over the possession of the land; that from 1941 to 1953 and from 1955 to 1958 with him shouldering 1/3 of the

transplanting expenses and other items for contribution, his gross harvest was divided 50-50 between him and the landholder respondents; etc., etc.

Above named respondents - except the judge - denied the existence of tenancy relationship between Salazar and Sta. Romana, as well as the other material allegations of the petition. And on June 22, 1959, the Hon. Jose M. Santos, judge, entered judgment dismissing Salazar's petition. A motion for reconsideration was overruled. Hence this appeal.

Decision of C.A.R. - In denying Salazar's status as a tenant of Sta. Romana, the C.A.R. Court said:

"This Court, after a careful analysis of the evidence on record, is more inclined to give credence to the evidence adduced by the respondent. Several inconsistencies, were noted from the evidence of the petitioner which could serve as a basis for discrediting petitioner's claim. * * *."

The Court explained its opinion thus:

"Petitioner declared that he had been dealing with overseer Gaudencio Valdez, one of the respondents herein, from 1941 up to 1957. This declaration could not be true because the evidence clearly show that Valdez was appointed by respondent as overseer only in 1952. Furthermore, while the petitioner had been trying to portray the fact that he had been dealing often with the Landholder-respondent, he admitted, by his own testimony, that he had met the landholder-respondent, only three times, first time in 1941, second time in 1954, when he filed a complaint and the third time was during the hearing of this instant case.

On the other hand, patrolman Pedro Graneta of the Police Force of San Jose, Nueva Ecija, one of the respondents, testified among other things, that the petitioner admitted before the mayor of San Jose, Nueva Ecija in his presence that the land he was cultivating was given to him by his father-in-law (Emiliano Feliciano). From this testimony of an apparently disinterested party, we can safely deduce the fact that respondent-landholder did not contract the services' of the petitioner as tenant on the landholding in question, but it was only his father-in-law who appointed him as tenant thereon. Certainly, the father-in-law, not being the landholder, was not vested with the right to appoint any tenant thereon. There is no showing that the testimony of this patrolman was motivated by bias and interest in favor of the respondent-landholder.

Anent the decision previously rendered in CIR CASES No. 1647-R-1652-R, the same C.A.R. Court held that:

"* * * the decision does not make a definite ruling as to whether or not tenancy relationship had existed between petitioner and respondent Sta. Romana. It should be noted that in the case that gave rise to the decision, respondent Sta. Romana was not a party therein. Although the Court in, that decision had impliedly recognized the tenancy relationship between Vicente Salazar and the lessee of the land, Gaudencio Valdez, the effect of that decision would not bind respondent Sta. Romana because he had not occasion to either deny or admit the existence of tenancy relationship between him and petitioner Salazar. * * *."

The records of said case show that respondent Sta. Romana had previously leased the property to lessee Gaudencio Valdez, and while the land was under lease by him, he (Valdez) filed a petition against the alleged tenants one of whom was Vicente Salazar. There was no showing that respondent Sta. Romana had prior knowledge of the petition filed by Valdez acknowledging petitioner Salazar as his tenant. The possibility of mistake or error of judgment on the part to the lessee in acknowledging petitioner Salazar as his tenant or as tenant on the landholding is not remote considering that when said Valdez took the land under lease, he must have only presumed that the petitioner was one of the tenants.

Another decision which respondent court took into account in arriving at its conclusion now under review is that

rendered in CIR CASE No. 1965-NE (supra). Said court reasoned out.

"The Court cannot brush aside the significance of the decision rendered by this Court on June 23, 1956 (Exh. "B"). This decision was the result of the petition filed by same petitioner, Vicente Salazar against same respondent Sta. Romana, praying for liquidation of the harvests. The question of tenancy in that case was squarely placed in issue before the Court, and on the basis of the evidence presented by the respondent coupled with his denial of the existence of tenancy relationship, this Court dismissed the petition for failure on the part of petitioner Salazar to present sufficient proof of the existence of tenancy relationship. Substantially, the evidence presented by the petitioner then, and the evidence presented by the petitioner now are the same, except a few minor additional evidence. This Court cannot find any tenable ground to disturb the findings and conclusion, contained in said decision rendered in 1956,

In his brief, appellant alleges that the court a quo erred in holding:

- That the decision in CIR CASE NOS. 1647-R-1652-R did not bind respondent Sta. Romana;
- That respondent Leonardo Sta. Romana should not be made answerable for the representations and actuations of his lessees;
- That there is no tenancy relationship between respondent Sta. Romana and petitioner Salazar because this issue had already been affirmatively decided by the Court of Industrial Relations in CIR CASE No. 1965-NE;
- That it cannot brush aside the significance of the decision rendered on June 23, 1956 in CIR CASE No. 1965-NE.

Briefly, petitioner argues:

CIR cases Nos. 1647-R-1652-R were filed by Gaudencio Valdez as landholder seeking authority to eject his tenants, one of whom was Vicente Salazar (who was named in the said complaints as a tenant). The decision in the said cases clearly declared petitioner as among the tenants of said landholding". The said decision is binding on Sta. Romana although he was not included as party litigant in the proceedings thereof; because Valdez who brought the action was his lessee and overseer. Sta. Romana was virtually a privy to the said CIR CASES. And, judgments are binding on privies because they are identified in interest by their mutual or successive relationship to the same rights of property which were involved in the original litigations. (See Am. Jur. 30, sec. 225, pp. 957-958)

As regards the ruling in CIR Cases Nos. 1965-NE, the peculiar circumstance attendant in the hearings thereof (that petitioner was not duly represented by counsel), rendered the said decision null and void-so petitioner argues. Even the Court of Industrial Relations, he said, was cognizant of such defect; and thus, it dismissed the action without prejudice to the institution of another complaint against the proper party or parties.

Thus far the contentions of petitioner.

This Court observes at the outset, that the Agrarian Court carefully studied the evidence presented before it. And as it was in a better position to evaluate and appreciate it, we do not feel justified to disturb its findings. They do not appear to be based on unsubstantial evidence.

It is the matter of the bearing of the decision in CIR CASES Nos. 1647-R-1652-R and 1965-NE, to the instant case that we shall presently consider. It appears to be the main issue.

We see that in the proceedings in CIR CASES Nos. 1647-R-1652-R, Salazar's status as a tenant of the landholding in question was not brought up squarely. As a matter of fact, as may be gleaned from the decision

thereof (See Exh. "G"), only the alleged tenant, one Balingcongan appeared at its hearings and filed a verbal answer to the complaint; Vicente Salazar neither appeared nor answered and thus, he was declared in default.

The status of Salazar as tenant was actually set up only in CIR CASE No. 1965-NE. Consequently, the question of tenancy had to be determined, to enable the said court to uphold his rights against the alleged landholder. Evidence to prove such allegation was necessary; but the Court found it insufficient. In the present case, the issue was again debated and additional evidence introduced. Unfortunately, the resultant overall picture was only this up to the time of his father-in-law's death in 1957 (Emiliano Feliciano) Salazar was merely the latter's sub-tenant or helper in the farm in question.

The decision in CIR Case No. 1965-NE is not null and void, it having been rendered by a competent court, after a hearing. The court even tempered justice with mercy by reserving to the alleged tenant (Salazar) another chance to enforce a supposed right, which he failed to show. It may even be surmised that the said court was too kind not to have just dismissed the case for lack of evidence to establish the tenancy relationship.

Finally, there is no legal principle to prevent the lower court from regarding the CIR Case No. 1964-NE decision as material and relevant to the instant litigation. Although concededly it is not *res adjudicata*, if at least furnished additional material to enlighten the court in correctly assessing the factual situation.

In view of the preceding considerations, finding no prejudicial error in the decision under review, we must, and hereby affirm it with costs against petitioner. So ordered.

Padilla, Bautista Angelo, Concepción, Reyes, J. B. L., Barrera, Paredes, Dizon, Regala and Makalintal JJ., concur.

[1] At that time tenancy cases were handled by CIR.

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