

ATLANTIC MUTUAL INSURANCE COMPANY, PLAINTIFF AND APPELLANT, VS. MANILA PORT TERMINAL AND/OR MANILA RAILROAD COMPANY, DEFENDANTS AND APPELLEES.

G.R. No. L-17047. April 28, 1962

Ponente: BENGZON, C.J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/b825be17b8f0/>

BENGZON, C.J.:

Sued in the Manila court of first instance for the recovery of P391.59 plus costs, the above defendants moved to dismiss on the ground of lack of jurisdiction by reason of the amount involved - it did not exceed P2,000.00 - (sec. 44 (c) Republic Act 296).

Opposing the motion, the plaintiff maintained the court's jurisdiction, arguing that the subject matter of the action related to admiralty and maritime commerce. The Hon. Magno Gatmaitan, judge upheld defendants' contention and dismissed the case. Hence this appeal.

Atlantic Mutual Insurance Company complained of the above defendants as the operators of the arrastre service in the Port of Manila. It alleged in substance, that a certain U.S. corporation shipped at New York for Manila, three cartons of medicines consigned to Pfizer Laboratories (Phil.) Inc.; that such shipment was covered by a bill of lading and was insured with herein plaintiff insurance company; that the cartons were unloaded at the Port of Manila in good order and delivered the same, the damages and shortages amounting to P391.59 to the consignee.

This appeal has no merit. The matter involved no admiralty jurisdiction, as we have held in our opinion of November 29, 1960, deciding the cases of Atlantic Mutual Insurance Co. vs. Manila Port Service, G.R. Nos. L-15618 and 16116 and Insurance Company of North America vs. Manila Port Service, G.R. No. L-16000. We reaffirmed this opinion in Delgado Brothers Inc. vs. Home Insurance Co., G.R. No. L-16567, March 27, 1961.

Consequently, the appealed order is hereby affirmed, with costs against appellant. So ordered.

Pabilla, Bautista Angelo, Labrador, Concepcion, Reyes, Paredes and Dizon, 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.