

NJ BAUTISTA CONSTRUCTION, INC., PLAINTIFF-APPELLEE, VS. C-E CONSTRUCTION, INC., DEFENDANT-APPELLANT.

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GALAPATE-LAGUILLES, J:

For Our consideration is the Philippine Mediation Center (PMC) – CA Report[1] dated March 18, 2014 signed by Appellate Court Mediator, Justice Bennie Adefuin Dela Cruz indicating therein a successful settlement of the case between plaintiff-appellee and defendant-appellant. Attached to the Report is a “Manifestation with Joint Motion to Dismiss and Mutual Release and Quitclaim”,[2] submitted by the parties and said pleading is hereby quoted in its entirety to wit:

“PARTIES, through their respective authorized representatives, and unto the Honorable Court most respectfully manifest that they have amicably settled the instant case while on Appeal before this Court of Appeals, and jointly move for the dismissal of the case on the ground that the parties have amicably settled any and all controversies relative to the instant case in a manner which is not contrary to law, morals, or public policy. Consequently, the plaintiff-appellee herein withdraws its complaint against the defendant-appellant, and the defendant-appellant likewise herein withdraws its counterclaims against the plaintiff-appellee. Moreover, both parties mutually release and forever discharge each other for any other claim or demand arising from their transaction subject of the instant case. It is thus most respectfully prayed that the instant case be DISMISSED WITH PREJUDICE.”

We find the said Manifestation with Joint Motion to Dismiss and Mutual Release and Quitclaim to be in order as the same is not contrary to any law, morals or public policy.

WHEREFORE, in light of the foregoing, the PMC-CA Mediator's Report and the Manifestation with Joint Motion to Dismiss and Mutual Release and Quitclaim submitted by the parties are hereby NOTED and GRANTED.

Accordingly, the instant Appeal is hereby DISMISSED and is declared CLOSED and TERMINATED.

SO ORDERED.

Punzalan Castillo, M.P., (Chairperson) and [*]Peralta, JR., E. B., JJ., concur.

[*] Vice Justice Amy C. Lazaro-Javier per Office Order No. 150-14-RSF dated April 21, 2014

[1] Rollo, p. 76.

[2] Id., pp. 77-79.

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