# REPORT ON THE JUDICIAL AUDIT IN THE MTCS OF CALASIAO, BINMALEY, STA. BARBARA AND MAPANDAN AND IN THE MCTC OF TAYUG-SAN NICOLAS, ALL IN PANGASINAN.

*A.M. No. MTJ-01-1375. November 13, 2001*

Ponente: VITUG, J.

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**VITUG, J.:**

A judicial audit and physical inventory of cases pending with the Municipal Trial Court ("MTC") of Calasiao, Pangasinan, was conducted by the Office of the Court Administrator ("OCA") relative to the compulsory retirement of Hon. Ignacio R. Concepcion, the presiding judge. An audit was likewise undertaken in the Municipal Trial Courts of Binmaley, Santa Barbara and Mapandan, Pangasinan, where Judge Concepcion was the designated acting presiding judge.

On 18 January 2000, the Court, acting on the memorandum-report submitted by the OCA, resolved, among other things, to -

> "b) DIRECT Judge Ignacio T. Concepcion, former Presiding Judge, MTC, Calasiao, Pangasinan and former Acting Presiding Judge, MTC Binmaley, Sta. Barbara and Mapandan, Pangasinan, to EXPLAIN within ten (10) days from notice why no administrative sanction should be imposed on him (b-1) for his failure to decide within the reglementary period Civil Case No. 869 in his own court and Criminal Case No. 259-98, Civil Cases Nos. 586, 608, 637 and 641, and LTC Case No. 66709 (02-96) of the MTC of Binmaley and (b-2) for his failure to resolve within the reglementary period Civil Case No. 3747 in his own court, Civil Case No. 905 of the MTC of Sta. Barbara and Criminal Cases Nos. 4754, 4797, 75-96, 76-96 and 261-98, Civil Cases Nos. 638 and 648, and Election Case No. 97-03 of the MTC of Binmaley."

In compliance therewith, respondent judge submitted his explanation, dated 31 May 2000, stating that -

- Civil Case No. 869 which was pending before the Calasiao MTC, his original station, had not been decided within the reglementary period, having been informed by the parties, through counsel, that they were going to submit a compromise agreement.

- In connection with the cases pending before the Binmaley MTC - Criminal Case No. 259-98 and Civil Cases No. 586, 608, 637 and 641, the pending incidents in Criminal Cases No. 4754, 4797, 75-96, 76-96 and 261-98, Civil Case No. 638, and Election Case No. 97-03 - respondent judge admitted that he was not able to dispose of them within the reglementary period prescribed therefor but he attributed the delay to his heavy caseload.

- With respect to the pending incident in Civil Case No. 905 before the Santa Barbara MTC, the matter was not promptly resolved, he said, due to lack of material time considering that he was only designated an acting presiding judge in the Santa Barbara MTC and he gave priority to his own inherited cases submitted for decision. Respondent judge explained that when he compulsorily retired from the judiciary on 01 February 1999, he had three other court assignments, aside from that of his own, namely, in MTC-Binmaley, MTC-Santa Barbara and MTC-Mapandan.

The explanation of respondent judge was referred to the OCA for evaluation, report and recommendation. The OCA, in its memorandum, dated 27 February 2001, found that, in MTC-Binmaley, respondent judge failed to decide within the ninety-day reglementary period Criminal Case No. 259-98 and Civil Cases No. 586, 608, 637 and 641, and the pending incidents in Criminal Cases No. 4754, 4797, 75-96, 76-96 and 261-98, Civil Case No. 638, and Election Case No. 97-03. In MTC-Sta. Barbara, he failed to resolve the pending incident in Civil Case No. 905 within the requisite period. The OCA, taking into account the fact that respondent judge was indeed handling three other court assignments, aside from that appurtenant to his own sala, which required him to travel extensively, felt that respondent judge should not be totally blamed for his failure to decide the cases within the periods set by the rules. The OCA thus recommended that respondent judge be merely FINED in the amount of P2,000.00 deductible from his retirement benefits.

The Court adopts the above findings and recommendation of the OCA.

Article XVIII, Section 15, of the Constitution provides that lower courts have three months within which to decide cases submitted for resolution. The Court itself has continued to impress upon judges the imperativeness of expediting the disposition of cases. Here, nevertheless, the Court must consider the fact that respondent judge has been handling three court assignments, aside from that of his own, that account for his extraordinary caseload and his then hectic travel schedule. Regrettably, respondent judge has failed to file the necessary requests for extension of time to resolve such cases which, given the circumstances, would have easily been granted.

WHEREFORE, the Court finds Judge Ignacio R. Concepcion, former presiding judge of the Municipal Trial Court, Calasiao, Pangasinan, and former acting presiding judge of the Municipal Trial Court of Binmaley, Santa Barbara and Mapandan, Pangasinan, guilty of simple "inefficiency" and hereby imposes a FINE of TWO THOUSAND PESOS, as so recommended by the Office of the Court Administrator, deductible from his retirement benefits.

**SO ORDERED.**

Melo, (Chairman), Panganiban, Sandoval-Gutierrez, and Carpio, JJ., concur.


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