

JOSEPH ONG, SUBSTITUTED AS REPRESENTATIVE OF THE LATE ONG CU, PETITIONER, VS. HON. MIDPANTAO ADIL AND JOSEFINA S. DE LAUREANO, RESPONDENTS.

G.R. No. L-46286. October 18, 1977

Ponente: AQUINO, J.

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AQUINO, J.:

The petitioner filed in this Court on June 11, 1977 a petition for certiorari, praying that the decision of the Court of First Instance of Iloilo dated February 1, 1977 in Civil Case No. 10889 (should be 10370), entitled "Ong Cu vs. Josefina S. de Laureano" and the order of respondent Judge in the same case dated May 13, 1977 denying petitioner's motion for recon-sideration and granting private respondent's motion for immediate execution be set aside.

The respondents were required to comment on the petition. In their comment of July 29, 1977 the respondents contended that the lower court's decision had already become final and executory, that the trial court did not commit any grave abuse of discretion in rendering the said decision, and that the said decision is in conformity with this Court's judgment in *De Laureano vs. Adil*, L-43345, July 29, 1976, 72 SCRA 148.

To the said comment, the petitioner filed a reply dated September 20, 1977.

On September 23, 1977, or before the Court could dispose of the petition, the petitioner filed a motion for the dismissal of the case "with prejudice, the parties having entered into a Compromise Agreement with respect thereto".

The motion bears the conformity of private respondent, as shown in the lower lefthand corner thereof, where, below the handwritten words "no objection", the signature of her counsel appears.

WHEREFORE, this case is dismissed with prejudice and without costs.

SO ORDERED.

Barredo, (Acting Chairman), Antonio, Concepcion, Jr., and Santos, JJ., concur.
Fernando, J., is abroad.

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