

**PELAGIA V. AGUILAR, ET AL., PETITIONERS, VS. COURT OF APPEALS, COURT OF FIRST INSTANCE OF MANILA, SHERIFF OF MANILA AND LA JOLLA, INC., RESPONDENTS.**

*G.R. No. L-26675. May 25, 1979*

Ponente: ABAD SANTOS, J.

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**ABAD SANTOS, J.:**

This is an appeal by certiorari to review a decision of the Court of Appeals. After issues were joined, the case was submitted for decision on March 30, 1967. It remained unacted until May 7, 1979, when this Court issued the following resolution:

"In L-26675 entitled, "Pelagia V. Aguilar, et al. vs. Court of Appeals, et al. which involves questions of law relating to ejectment suits filed against the petitioners; considering that ejectment suits are summary in nature so as to afford the plaintiff expeditious relief; and considering that events may have transpired through the long lapse of time since the suits were commenced in January, 1965, and which may have changed the status of the litigants with respect to the disputed premises and altered their remedial rights, the parties are required to INFORM the Court within ten (10) days after receipt of this resolution whether or not the petition has become moot and academic."

Counsel for petitioners responded with a Manifestation dated May 15, 1979 as follows:

"PETITIONERS, through counsel, with reference to the resolution dated May 7, 1979, a copy of which was received on May 9, 1979, to this Honorable Court respectfully manifest that they are still occupying the premises leased to them based on adjusted monthly rentals and, for this reason, they accordingly consider their petition in this case already moot and academic."

Respondents have not filed any manifestation. However, they seek no relief other than the dismissal of the present petition.

WHEREFORE, the petition is hereby dismissed for having become moot and academic. No costs.

**SO ORDERED.**

Antonio, (Acting Chairman), Aquino, Concepcion, Jr., and Santos, JJ., concur.  
Barredo, J., on leave.

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