

MAYOR ROGELIO S. TAN, PETITIONER, VS. LEAH B. SIERVO, RESPONDENT.

Ponente: ANTONIO-VALENZUELA, J.

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ANTONIO-VALENZUELA, J.:

The Court rules as follows:

- 1) GRANTS petitioner's Motion For Reconsideration[1] with the attached Certification dated 6 June 2013,[2] the Affidavit of Service dated 6 June 2013 executed by Rogelio S. Tan,[3] and the Affidavit of Service dated 10 June 2013 executed by Francis P. Dignadice,[4] in the interest of justice, and considering that the rubber stamp appearing on the envelope containing the Petition For Review[5] shows that petitioner filed the Petition with us via registered mail on 10 April 2013 (or before the 12 April 2013 deadline petitioner had requested for in its second motion to extend the period to file the petition), and that the petitioner has cured the infirmities observed in the Resolution promulgated 17 May 2013,[6] SETS ASIDE the Resolution of dismissal dated 17 May 2013, and REINSTATES the case in the court's dockets;
- 2) REQUIRES the respondent to file comment to the Petition For Review,[7] not a motion to dismiss, within 10 days from receipt of this Resolution;
- 3) REQUIRES the petitioner to file reply to the respondent's comment, within 10 days from receipt of the comment.

IT IS SO ORDERED.

Didican (Chairperson) and Garcia-Fernandez,[*] JJ., concur.

[*] Per Office Order NO. 206-13-ABR dtd. May 10, 2013.

[1] C.A. Rollo, p. 249.

[2] Annex A to the Motion, C.A. Rollo

[3] Annex B to the Motion, C.A. Rollo, p. 256.

[4] C.A. Rollo, p. 257.

[5] C.A. Rollo, p. 127.

[6] C.A. Rollo, p. 245.

[7] C.A. Rollo, p. 127.

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