

**BASILIO BAUTISTA, GERTRUDES IGNACIO AND SIMON IGNACIO,
PLAINTIFFS AND APPELLEES, VS. ARISTIDES GONZALES,
DEFENDANT AND APPELLANT.**

G.R. No. L-243. April 30, 1947

Ponente: PARAS, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/d11741720d74/>

PARAS, J.:

On August 27, 1945, the plaintiffs filed in the Municipal Court of Manila an action for ejectment against the defendant. Sentenced to vacate the premises in question (Nos. 1457-1459 Quezon Boulevard) and to pay the monthly rental of P30 from July 1, 1945, and the costs, said defendant appealed to the Court of First Instance of Manila, wherein he interposed an answer assailing, in the main, the validity of the sale under which the plaintiffs acquired the ownership of the property. In a motion alleging that the answer did not raise any real controversy worthy of a formal trial, the plaintiffs moved for a summary judgment against the defendant. This filed an opposition, after which the Court of First Instance rendered a decision in favor of the plaintiffs.

It appearing that the defendant—appellant herein—admits in his very opposition and the affidavit in support thereof that he had been paying rents to the plaintiffs from July, 1944, to April, 1945, and that he thereafter desisted, pending determination by the Government of the effect of sales paid in Japanese military notes, it would be a futility for the lower court to proceed with a formal trial. The legal relation between the plaintiffs and the defendant as landlords and tenant once established, the other important point that properly arose is whether the defendant's right to continue in possession of the leased premises had ceased. Needless to say, defendant's admitted default in the payment of rents is certainly a justification for dispossessing him. Question of ownership thereby became unessential and foreign to the ejectment case; and the same may be raised by the defendant in an appropriate action. Indeed, the appealed decision in no wise binds the title or affects the ownership of the property in dispute. (Rule of Court No. 72, section 7.)

Defendant's four assignments of error and the elaborate discussions thereof, tending to demonstrate his ownership notwithstanding the sale to the plaintiffs, are therefore out of place. Plaintiffs' motion for summary judgment and its concession by the lower court are fully warranted. The procedure is authorized by Rule of Court No. 36 as a means for promptly disposing of civil actions in which there exists no genuine controversy. (Moran, Comments on the Rules of Court, Vol. I, p. 325.)

The appealed decision is affirmed with costs against the defendant. So ordered.

Pablo, Perfecto, Bengzon, Padilla, and Tuason, JJ., concur.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.