

**EMETERIO MAGAT, PETITIONER, VS. HON. PEDRO T. SANTIAGO,
JUDGE, COURT OF FIRST INSTANCE OF BATAAN, BR. II, JOVITA T.
GANZON AND PROVINCIAL SHERIFF OF BATAAN, RESPONDENTS.***G.R. No. L-43301. April 01, 1980*

Ponente: ANTONIO, J.

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For delaying for quite along time the termination of an unlawful detainer case (Civil Case No. 3438, CFI-Bataan) by filing multiple petitions before this Court, involving the same subject matters and cause of action, which were attempts "by the same party and his counsel to delay the enforcement of a judgment that has long become final and executory", this Court, on October 28, 1977, suspended Atty. Ceferino R. Magat from the practice of law effective immediately and until further orders from this Court. There is no question that a lawyer not only owes to his client the duty of fidelity, but, more important, he also owes the duty of good faith and honorable dealing to the judicial tribunal before whom he practices his profession.[1] Inherent in that duty is the obligation to assist the Court in the speedy disposition of cases. Excessive delay causes hardships, may force parties into unfair settlements, and, more significant, it may nurture a sense of injustice and breed cynicism about the administration of justice itself. Thus, the Constitution provides the right of all persons to a speedy disposition of their cases before all judicial, quasi-judicial and administrative bodies.[2]

We are now, however, confronted with the plea of Atty. Ceferino R. Magat and the members of his family for judicial clemency, expressing their profound regret for his past misconduct and his avowal to mend his ways, and invoking this Tribunal's compassion, in view of the said family's financial and economic difficulties due to his inability to earn his livelihood as a lawyer. These requests for compassion and clemency from Atty. Magat and his children were reiterated several times for a period of more than two years since his suspension.

The suspension of a lawyer is not intended primarily as a punishment, but as a measure of protection of the public and the profession. We are satisfied that Atty. Magat appreciates the significance of his dereliction and he has assured Us that he now possesses the requisite probity and integrity necessary to guarantee that he is worthy to be restored to the practice of law.

WHEREFORE, in view of the foregoing, the Court resolved to terminate the suspension of Atty. Ceferino R. Magat from the practice of law, with the warning that any subsequent acts of misconduct will be more severely dealt with.

SO ORDERED.

Fernando, C.J., Teehankee, Barredo, Makasiar, Aquino, Concepcion, Jr., Fernandez, Guerrero, Abad Santos, De Castro, and Melencio-Herrera, JJ., concur.

[1] *People v. Beattie*, 137 Ill. 553, 31 Am. St. Rep. 384.

[2] Section 16, Article IV, New Constitution.

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