

FRANCISCO ORTIZ, PETITIONER, VS. HON. COMMISSION ON ELECTIONS, PRIMITIVO R. PASTA, ET AL., RESPONDENTS.

G.R. No. L-22065. April 27, 1967

Ponente: DIZON, J.

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DIZON, J.:

On February 10, 1967 We issued the following resolution:

"This is a petition to review and annul the resolution of the respondent Commission on Elections of October 17, 1963 denying petitioner's petition to declare invalid the certificates of candidacy filed by the other respondents herein, for failure to comply with the provisions of Section 32 of the Revised Election Code, as amended by Republic Act No. 3522, in that said certificates of candidacy did not contain a waiver of the privilege from public disclosure of said respondents' income tax returns and tax census statements for the years 1961 and 1962. Instead, said Commission advised its co-respondents to file, immediately, amended certificates of candidacy including said waiver, even after the lapse of the period for the filing thereof.

"Considering the possibility that the respondents - except the Commission on Elections - failed to be elected in the elections held in 1963 - which, if true, would render the present case academic - the petitioner Francisco Ortiz is hereby required to show cause, within five days from notice, why the petition for review should not be dismissed."

On March 14, 1967, pursuant to the above resolution, petitioner, through counsel, filed a MANIFESTATION AND MOTION praying that We dismiss his petition for review without pronouncement as to costs.

Finding the above motion for dismissal to be in order, the same is granted, without costs.

Concepcion, C.J., Reyes, J.B.L., Regala, Makalintal, Bengzon, J.P., Zaldivar, Sanchez, and Ruiz Castro, JJ., concur.

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