

**JOSE BENJIE R. DUYAG, PETITIONER, VS. GERVACIO V. DUYAG,
ACTING AS ATTORNEY-IN-FACT OF SEMEON DUYAG, RESPONDENT.**

Ponente: REYES, JR., J.C., J.

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REYES, JR., J.C., J.:

This resolves petitioner's Motion for Reconsideration (Rollo, pp. 105-107) of Our Resolution (Rollo, pp. 111-114) dated April 29, 2013 dismissing outright the instant petition for having been filed out of time.

In his motion, petitioner asks for leniency from this Court, asking for a liberal application of the rules, in the “supreme interest of justice.” He explains that he was not able to personally follow-up the status of the case a quo because as a pauper litigant, he could not afford the total fare of almost P300.00 from Naic, Cavite to the Metropolitan Trial Court of Taguig City.

The instant motion is DENIED.

While the Supreme Court has in the past allowed the relaxing of the rules on the reglementary periods of appeal, it must be stressed that there must be a showing of an extraordinary or exceptional circumstance to warrant such liberality. (*Artistica Ceramica, Inc. vs. Ciudad del Carmen Homeowner's Association, Inc.*, 621 SCRA 22, 34 [2010]) The instant case, given its own settings, cannot come close to those extraordinary circumstances that have indeed justified a deviation from an otherwise stringent rule.

Moreover, it is a settled rule that the right to appeal is neither a natural right nor a part of due process; it is merely a statutory privilege, and may be exercised only in the manner and in accordance with the provisions of law. (*Mendoza vs. United Coconut Planters Bank, Inc.*, 641 SCRA 333, 345 [2011]) An appeal being a purely statutory right, an appealing party must strictly comply with the requisites laid down in the Rules of Court such as the timeliness of an appeal. (*Fenequito vs. Vergara, Jr.*, 677 SCRA 113, 117 [2012]) Withal, this Court must stress that the bare invocation of “the interest of substantial justice” or “the supreme interest of justice” is not a magic wand that will automatically compel this Court to suspend procedural rules. (*Artistica Ceramica, Inc. vs. Ciudad del Carmen Homeowner's Association, Inc.*, 621 SCRA 22, 35 [2010])

WHEREFORE, premises considered, petitioner's Motion for Reconsideration is DENIED for lack of merit.

SO ORDERED.

Lopez, M.V., and Inting, S.B., JJ., concur.

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