

ABRAHAM G. SILLANA, SUBSTITUTED BY HIS WIDOW, IMELDA CRUZ SILLANA AND MINOR CHILDREN CLARISSE C. SILLANA AND ABIGAIL C. SILLANA, PETITIONERS-APPELLANTS, VS. JULIO M. JUSTO, RESP...

Ponente: INTING, J.

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INTING, J.:

This is a motion for reconsideration[1] filed by petitioners-appellants of the Resolution[2] of this Court on January 14, 2014 denying the the motion to admit attached appellants' brief and dismissing the appeal pursuant to Section 1 (e), Rule 50 of the Rules of Court.

Petitioners-appellants admit belatedly filing the appellants' brief and offered mistake and inadvertence and alleged poor health condition of appellant Imelda Cruz Sillana as reasons for their failure to timely file their brief. Petitioners-appellants invoke a liberal interpretation of procedural rules in the interest of justice and plead for reconsideration of the dismissal and the reinstatement of the appeal .

This Court is not convinced by the reasons offered by petitioners-appellants. The mistake and inadvertence are not compelling reason or a highly exceptional circumstance to warrant a liberal application of the rules. To excuse their tardiness on the ground of mistake or inadvertence undermines the mandatory nature of these prescribed periods. A lawyer is never without scores of pleadings to do or motions to file. Yet it is incumbent upon him, pursuant to the oath he took, to monitor the progress of the cases he is handling to the end that no client is unduly prejudiced by any oversight.[3] Therefore, this Court finds no substantial argument that would warrant a reconsideration of the dismissal of the appeal.

WHEREFORE, the motion for reconsideration is DENIED. The Resolution of this Court on January 14, 2014 stands.

SO ORDERED.

Lampas Peralta, (Chairperson), and Acosta, JJ., concur.

[1] Rollo, pp. 86-88.

[2]Id at 214-222.

[3] See Allied Banking Corporation v. Spouses Eserjose, G.R. No. 161776, October 22, 2004.

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