

LEONOR S. LITTON AND ROGELIO M. PAZ, PETITIONERS, VS. HON. B. JOSE CASTILLO, PROVINCIAL FISCAL OF RIZAL, HON. VICENTE ABAD SANTOS, IN HIS CAPACITY AS SECRETARY OF JUSTICE, AND G...

G.R. No. L-35992. February 25, 1975

Ponente: ANTONIO, J.

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ANTONIO, J.:

Considering that Presidential Decree No. 77 issued by the President of the Republic of the Philippines on December 6, 1972 pursuant to Proclamation No. 1081 dated September 21, 1972, and General Order No. 1 dated September 22, 1972, amending Section 1 of Republic Act No. 5180 (Prescribing a Uniform System of Preliminary Investigation by Provincial and City Fiscals and their Assistants and by State Attorneys or their Assistants), the validity of which is being questioned in the present petition for certiorari, prohibition and mandamus, now forms part of the law of the land (Article XVII, Section 3 [2] of the new Constitution) the court Resolved to DENY the petition for lack of merit.

Makalintal, C.J., Barredo, Makasiar, Esguerra, and Aquino, JJ., concur.

Fernando, J., concurs on the ground of its prerogative validity.

Castro and Teehankee, JJ., concur in the result.

Fernandez, J., took no part.

Muñoz Palma, J., on leave.

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