

ANTONIO SOYANGCO, COMPLAINANT, VS. JUDGE ROMEO G. MAGLALANG, REGIONAL TRIAL COURT, THIRD JUDICIAL REGION, BRANCH 2, BALANGA, BATAAN, RESPONDENT.

A.M. No. RTJ-90-570. April 19, 1991

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/f96385c15274/>

PER CURIAM:

This case stems from a complaint against respondent judge for "gross negligence of duties and misconduct and clear violation of the provisions of the Judiciary Act" due to his failure to timely decide Criminal Case No. 3254 entitled *People of the Philippines v. Lolita P. Luna* filed by complainant Antonio Soyangco for violation of the Bouncing Checks Law (B.P. Blg. 22). Apparently, said case was submitted for decision as early as October, 1984 and as of the filing of the administrative complaint against respondent on 31 August 1990, or for more than five years, the decision in that case had not yet been rendered (Rollo, p. 1).

Pursuant to the resolution of the Court dated 27 September 1990 (Rollo, p. 6), respondent submitted his comment, denominated as answer, to the complaint, alleging inter alia that the decision in the criminal case had been finished and ready for promulgation even before he received his copy of the complaint; that he gave priority to the trial and disposition of cases for subversion and rebellion and other criminal cases where the accused were all detained, including for violations of Republic Act No. 6425, as amended, also known as the Dangerous Drugs Act of 1972, which are entitled to be given preference under said law; that in the course of disposing of these cases, trials, which were held from Monday to Friday every morning and sometimes even in the afternoons, occupied most of his working hours; that aside from handling cases in his own sala, he was designated by the Court to also take cognizance of all cases in Branch 1 for 16 months; that he was appointed by the Court as Executive Judge, which position entails a number of demanding administrative duties; that it was only in 1988, since his appointment in 1983, that he was able to hire a legal researcher, owing to the strict professional requirements originally imposed for said position; and, that there is a dearth of research materials in his court, the only reference being eighty volumes of the Supreme Court Reports Annotated, so that he had to conduct outside legal research that took precious time off decision making (Rollo, pp. 7 - 9).

On 6 December 1990, the Court referred this case to Associate Justice Nathanael P. de Pano, Jr. of the Court of Appeals for investigation, report and recommendation (Rollo, p. 10). In compliance therewith, said investigating Justice submitted on 13 February 1991 a report on what transpired during the hearing, as follows:

First, the case of "*People of the Philippines vs. Lolita P. Luna*," complained of by the complainant as not yet decided, has already been decided, the accused therein having been sentenced to pay a fine of more than P60,000.00. Section 1 of Batas Pambansa Bilang 22 grants discretion to trial Judge (sic) to impose imprisonment, or fine, or both fine and imprisonment in cases involving violation of the "Bouncing Checks" law. The complainant expressly acknowledged that the case had been so decided.

Second, the complainant, after understanding the respondent's situation as a presiding judge, then expressed his desire to desist from pursuing his complaint. He had thought that he was entitled to personal indemnity in the case that he had initiated against the accused, Lolita P. Luna. The undersigned (investigating Justice) gave the

complainant some time to reflect on his decision to desist from pursuing his complaint. After conferring with a companion, a certain Mr. Pizaro, complainant's brother-in-law, who appeared to be a well-informed person, the complainant affirmed his decision to desist from pursuing his complaint.

Third, the respondent Judge had, on his own, explained that he had not deliberately sat on the above case, the parties involved not being known to him in any manner. And considering the contents of his verified answer, the undersigned has no reason to doubt that this was true. It does appear that the respondent Judge was overburdened, had handled two salas for more than one year (from April, 1987 to August, 1988) and was Executive Judge of Branches 1, 2 and 3 of the Regional Trial Courts (sic) stationed in Bataan from March, 1987 to August, 1988. (pp. 7 - 8, Report.)

Justice de Pano recommended that respondent be exonerated from the charges leveled against him in view of the desistance made by the complainant such that there is nothing more to support the accusations made in this case.

The Court disagrees.

It is clear from the answer/comment filed by respondent that the allegations in the complaint are true, that indeed, respondent left unattended for more than five years the case for violation of B.P. Blg. 22. In fact, respondent makes no attempt at a denial. He is, therefore, already guilty of dereliction of his duties as judge.

Respondent seeks, however, to justify this neglect by his above-enumerated recital of circumstances which were beyond his control. While the same appear to be valid grounds for a little delay, they can only serve to mitigate but not to erase his administrative liability. We find that failure to decide a case, particularly one involving a simple violation of the Bouncing Checks Law, for over five years is an inordinate amount of procrastination tantamount to gross negligence. It is not enough for judges to pen their decisions; it is also important to promulgate and make them known to all concerned at the earliest possible time and within the mandated period (*Nidua vs. Lazaro*, 174 SCRA 581; see also *Mangulabnan vs. Judge Tecson* 101 SCRA 810).

Complainant's voluntary desistance from pursuing the case any further is of no moment and the Court is not thereby stripped of its jurisdiction over respondent. This is so not only because respondent does not contest the omission imputed against him, which anyway is also supported by the public records. More importantly, this rests on constitutional grounds and sound public policy. The Supreme Court has administrative supervision over all courts and the personnel thereof (Section 6, Article VIII, Constitution) and sitting en banc has the power to discipline judges of lower courts (Section 11, Article VIII, Constitution). To condition the pursuance of administrative actions upon the will of every complainant who may, for one reason or another, condone a detestable act is to strip the Court of this supervisory power to discipline erring members of the judiciary, whose anomalous actuations as administrators of justice affect public interest (*Anguluan vs. Taguba*, 93 SCRA 179, citing *Vasquez vs. Malvar*, 85 SCRA 10).

WHEREFORE, the respondent judge, Romeo G. Maglalang, is hereby penalized with a FINE in the amount of Eleven Thousand Pesos (P11,000.00) and with the WARNING that a repetition of the same or similar act shall be dealt with more severely.

Let a copy of this Resolution be attached to respondent's record.

SO ORDERED.

Fernan, C.J., Narvasa, Melencio-Herrera, Gutierrez, Jr., Cruz, Paras, Feliciano, Gancayco, Padilla, Bidin, Sarmiento, Griño-Aquino, Medialdea, Regalado, and Davide, Jr., JJ., concur.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.