

KINGS PROPERTIES CORPORATION, PETITIONER, VS. SPS. MARSHALL AND LULU JOSEFINA LIM, RESPONDENTS.

Ponente: PERALTA, JR., E. B., J.

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PERALTA, JR., E. B., J.:

While it appeared that the Petition for Review[1] was filed in the nick of time[2] when assayed by the incipient Resolution of January 23, 2015,[3] it appeared that petitioner's supplication contained congenital infirmities, viz:

a) appended as Annex A and B to the Petition for Review were what appeared to be mere photocopies of a certified true copy of the assailed Decision of August 13, 2014 and Resolution on December 10, 2014 from the Office of the President unlike the specific requirement from adjective law;[4] and

b) material portions of the record attached to the Petition were not integrated such as: the Complaint for Reimbursement filed by private respondents against petitioner before the HLURB, petitioner's Appeal Memorandum before the HLURB-Board of Commissioners, petitioner's Motion for Reconsideration of the HLURB-Board of Commissioner's Decision, the corresponding action of the HLURB-Board of Commissioner insofar as the aforementioned Motion for Reconsideration, the Memorandum on Appeal before the Office of the President, inclusive of the oral and documentary evidence pertinent thereto.[5]

Accordingly, per Section 7, Rule 43 of the 1997 Rules of Civil Procedure, CA-GR SP No. 138733 is hereby DISMISSED.

SO ORDERED.

Reyes, Jr., J. C., and Acosta, F. P., JJ., concur.

[*] Per Office Order No. 15-15-ABR dated January 20, 2015 effective February 2, 2015.

[1] Dated February 5, 2015, Rollo, page 10.

[2] Filed on February 6, 2015, Rollo, page 10.

[3] Rollo, pp. 8-9.

[4] Section 6 (c), Rule 43, 1997 Rules of Civil Procedure; 1 Regalado, Remedial Law Compendium, 10th Edition, 2010, pp. 589-590, citing Cadayona vs. Court of Appeals, et al., G.R. No. 128772, February 3, 2000, cf. Uy, et al. vs. BIR, et al., G.R. No. 119651, October 20, 2000, Gonzales vs. CSC, G.R. No. 139131, September 27, 2002; 2 Feria and Noche, Civil Procedure Annotated, page 351, citing Maniebo vs. Court of Appeals, G.R. No. 158708, August 18, 2010; 2 Herrera, Remedial Law, 2007 edition, page 697.

[5] Section 6 (c), Rule 43.

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