

MANILA INTERNATIONAL AIRPORT AUTHORITY REPRESENTED BY ITS GENERAL MANAGER AND DISCIPLINING AUTHORITY MGEN JOSE ANGEL A. HONRADO (RET), PETITIONER, VS. CHARITO N. ARTURO AND THE ...

Ponente: VILLON, J.

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VILLON, J.:

Before this Court is a Petition for Review under Rule 43 of the 1997 Rules of Civil Procedure, as amended, which seeks to reverse and set aside the Decision[1] dated February 15, 2011 of respondent Civil Service Commission (CSC) in Case No. 110069, the dispositive portion which reads:

“WHEREFORE, the appeal of AP/Cpl. Charito N. Arturo, Airport Police Department, Manila International Airport Authority (MIAA) is hereby GRANTED. The resolutions dated August 1, 2006 and September 22, 2009 of the SICOP as approved by Alfonso G. Gusi, MIAA General Manager, finding her guilty of Gross Discourtesy in the course of Official Duty and imposing upon her the penalty of three (3) months suspension are SET ASIDE. Accordingly, Arturo should be paid back salaries corresponding to the period of her unlawful suspension. This is without prejudice, to the refilling of case in accordance with the Uniform Rules on Administrative Cases in the Civil Service.”

Likewise assailed are CSC's Resolutions dated October 9, 2012[2] and March 12, 2013[3] denying petitioner's Motion for Reconsideration and second Motion for Reconsideration (of the October 9, 2012 Resolution of the CSC), respectively.

Briefly, the antecedent facts of this case are as follows:

The instant petition stemmed from the Resolution[4] dated August 1, 2006 of the petitioner's Special Investigation Committee on Police Matters (SICOP), the decretal portion of which states:

“WHEREFORE, premises considered, the administrative case of Misconduct filed against Cpl. Charito N. Arturo is recommended to be dismissed. However, for having displayed uncalled behavior towards a more senior officer, the Committee recommends the imposition of the penalty of THREE (3) MONTHS SUSPENSION without pay for Gross Discourtesy In the Course of Official Duties in accordance with Rule IV (Penalties) (B) (3) of the Civil Service Rules there being no mitigating circumstances attendant in the instant case. Respondent is further warned that a repetition of the same shall be dealt with more severely.

“Let copies of this resolution be forwarded to the Administrative Department for its implementation and service to Cpl. Charito N. Arturo and other concerned offices.”

Aggrieved by the said resolution of SICOP, respondent Charito N. Arturo filed a Motion for Reconsideration. On September 22, 2009, SICOP issued a resolution[5] denying the said motion. Hence, respondent Arturo filed an appeal to the CSC which was docketed as Case No. 110069.

The CSC rendered the assailed Decision[6] dated February 15, 2011 which granted private respondent's appeal. A

motion for reconsideration[7] of the said Decision was filed by petitioner. On October 9, 2012, the CSC issued the first assailed Resolution[8] denying petitioner's motion for reconsideration.

Then, a motion for reconsideration of the first assailed Resolution (which denied petitioner's first motion for reconsideration) was filed by petitioner. The CSC issued the second assailed Resolution[9] denying petitioner's second motion for reconsideration on the ground that it was a prohibited pleading under Section 108 of the Revised Rules on Administrative Cases in the Civil Services, to wit:

“Section 108. Limitation. - Only one motion for reconsideration shall be entertained. If a second motion for reconsideration is filed notwithstanding its proscription under these rules, the finality of action shall be reckoned from the denial of first motion for reconsideration”.

The CSC likewise ruled that its Decision in Case No. 110069 dated February 15, 2011 attained finality on October 9, 2012 pursuant to the aforementioned provision of the aforesaid Rules. Hence, the instant Petition for Review. On April 26, 2013, private respondent filed her Comment thereto.

We dismiss this petition pursuant to Section 10, Rule 43 of the Rules of Court there being no prima facie showing that the CSC committed errors of fact or law that would warrant reversal or modification of the judgment and resolutions sought to be reviewed. We sustain the pronouncement of the CSC in its second assailed Resolution[10] dated March 12, 2013, that its Decision in Case No. 110069 dated February 15, 2011 had already attained finality, thus-

“Manila International Airport Authority (MIAA), through counsel, moves for the reconsideration of Civil Service Commission (CSC) Resolution No. 12-01737 dated October 9, 2012. Said Resolution denied its motion for reconsideration of CSC Decision No. 110069 dated February 15, 2011, which granted the appeal of AP/Cpl. Charito N. Arturo, and held that she should be paid back salaries corresponding to the period of her unlawful suspension, without prejudice, to the refile of the case in accordance with the Uniform Rules on Administrative Cases in the Civil Service.

“Pertinent portions of CSC Resolution No. 12-01737 dated October 9, 2012 read, as follows:

x x x

'Prescinding from the foregoing, it is apparent that Office Order No. 11.s. Of 1989, which seeks to delegate or assign the express authority of the GM to the investigating/hearing committee, should bear the imprimatur of the BOD and supported by a Board Resolution authorizing such delegation. For this reason, Office Order No. 11 is ultra vires. Also a reading of Section 9 (c) of the MIAA Charter establishes that both the formal charge and the decision itself should be approved by the BOD and the GM's action therein is merely recommendatory in nature. In effect, all actions in pursuance of Section 9 (c) should be approved by the BOD. The movant failed to show any document or proof evidencing the required approval of the BOD.

'Thus, the Commission finds no compelling reason to disturb CSC Decision No. 110069 dated February 15, 2011.

'WHEREFORE, the motion for reconsideration of Manila International Airport Authority (MIAA), through counsel is hereby DENIED. Accordingly, CSC Decision No. 110069 dated February 15, 2011, STANDS.”

“MIAA clearly stated in its motion for reconsideration that it is its second motion for reconsideration on the matter, and recognized that the RRACCS proscribes the filing of the same.

“In this regard, Section 108 of the Revised Rules on Administrative Cases in the Civil Service (RRACCS), states:

“Section 108. Limitation.- Only one motion for reconsideration shall be entertained. If a second motion for

reconsideration is filed notwithstanding its proscription under these Rules, the finality of action shall be reckoned from the denial of first motion for reconsideration.”

“WHEREFORE, premises considered, the Second Motion for Reconsideration of Manila International Airport Authority (MIAA) is hereby DENIED. Accordingly, the Civil Service Commission (CSC) Resolution No. 12-0173 dated October 9, 2012 which denied MIAA's motion for reconsideration and effectively affirmed CSC Decision No. 110069 dated February 15, 2011, which set aside MIAA's findings and granted the appeal of AP/Cpl. Charito N. Arturo, holding that she should be paid back salaries corresponding to the period of her unlawful suspension, without prejudice, to the refiling of the case in accordance with the Uniform Rules on Administrative Cases in the Civil Service, STANDS.

“Moreover, Decision No. 110069 dated February 15, 2011 is final and executory effective October 9, 2012 pursuant to Section 108 of the Revised Rules on Administrative Cases in the Civil Service.

“The CSC-NCR is directed to strictly monitor the implementation of CSC Decision No. 110069 dated February 15, 2011”.

Since the assailed Decision of the CSC had long become final and executory, petitioner cannot now question through the instant petition the effects of the said Decision. It is an established doctrine in this jurisdiction that the decisions and orders of administrative agencies have, upon their finality, the force and binding effect of a final judgment within the purview of the doctrine of *res judicata*. These decisions and orders are as conclusive upon the rights of the affected parties as though the same had been rendered by a court of general jurisdiction. “The rule of *res judicata* thus forbids the reopening of a matter once determined by competent authority acting within their exclusive jurisdiction” [See *Brillantes v. Castro*, 99 Phil. 497 (1956); *Ipekjdian Merchandising Co., Inc. v. Court of Tax Appeals*, G.R. No. L-15430, September 30, 1963, 9 SCRA 72; *San Luis v. Court of Appeals*, G.R. No. 80160, June 26, 1989].^[11] The Supreme Court in *Arnold Ginete versus Court of Appeals*^[12] reiterated the concept of finality of judgment as held in *Legarda v. Court of Appeals*.^[13] Thus:

“The necessity of giving finality to judgments that are not void is self-evident. The interest of society imposes it. The opposite view might make litigations more unendurable than the wrong (they are) intended to redress. It would create doubt, real or imaginary, and controversy would constantly arise as to what the judgment or order was. Public policy and sound practice demand that, at the risk of occasional errors, judgments or courts should become final at some definite date fixed by law. The very object for which courts were instituted was to put an end to controversies. When judgments of lower courts gain finality, they, too, become inviolable, impervious to modification. They may, then, no longer be reviewed, or in any way modified directly or indirectly, by a higher court, not even by the Supreme Court. In other words, once a judgment becomes final, the only errors that may be corrected are those which are clerical.

“From the foregoing, it can be inferred that the purposes for such a statutory requirement are two-fold: first, to avoid delay in the administration of justice and thus procedurally, to make orderly the discharge of judicial business, and; second, to put an end to judicial controversies, at the risk of occasional errors, which is precisely why courts exist.”

And in *Codidi Mata versus Court of Appeals*^[14] citing *Gomez versus Presiding Judge, RTC Br. 15, Ozamis City*^[15] the High Court also ruled that:

“Litigations must end and terminate sometime and somewhere, it being essential to the effective administration of justice that once judgment has become final, the winning party be not, through a mere subterfuge, deprived of the fruits of the verdict. Hence, courts must guard themselves against any scheme to bring about that result, for constituted as they are to put an end to controversies, they should frown upon any attempt to prolong it. Public policy and sound practice demand that at the risk of occasional errors, judgments of courts should become final and irrevocable at some definite date fixed by law. *Interes rei publicae ut finis sit litium*.”

WHEREFORE, premises considered, the instant Petition for Review is hereby DISMISSED.

SO ORDERED.

Macalino, and * Antonio-Valenzuela, JJ., concur.

*Vice Justice Pedro B. Corales per Office Order No. 138-14 dated April 10, 2014

[1] Rollo, pp. 28-32

[2] Rollo, pp. 33-37

[3] Rollo, pp. 45-46

[4] Rollo, pp. 20-25

[5] Rollo, pp. 26-27

[6] Rollo, pp. 28-32

[7] Rollo, pp. 38-44

[8] Rollo, pp. 33-37

[9] Rollo, pp. 45-46

[10] Rollo, pp. 45-46

[11] Felipe Ysmael Jr. & Co. v. Deputy Executive Secretary (190 SCRA 673)

[12] G.R. No. 127596, September 24, 1998

[13] G.R. 94457, October 16, 1997

[14] G.R. No. 103476, November 18, 1999

[15] 249 SCRA 432, 438-439

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