CODIDI MATA, CELESTINO, LUCIA, INGRACIO, PIO, MARCELO, MELETON, RICARDA, PAGAKAN, AND CARING, ALL SURNAMED MATA, AND DULY REPRESENTED BY THEIR ATTORNEY-IN-FACT ISIDRO SEMBRANO, ...

G.R. No. 103476. November 18, 1999

Ponente: KAPUNAN, J.

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KAPUNAN, J.:

The instant case is the fourth case that reached this Court involving the same parties and property.

In this case, the heirs of Marcos Mata (petitioners) seek the reversal of the decision, dated 31 July 1991, of the Court of Appeals in CA-G.R. SP No. 24434, permanently enjoining the Regional Trial Court, Branch 1, Tagum, Davao City, from proceeding with Civil Case No. 2468, an action to enforce petitioners' right to repurchase the subject lot under Section 119 of the Public Land Act (Commonwealth Act No. 141, as amended).

The antecedent facts are as follows:

Sometime in 1940, spouses Marcos and Codidi Mata, members of a non-christian cultural minority in Davao and predecessors-in-interest of petitioners, were granted a homestead patent over a parcel of land situated in Tagum, Davao del Norte containing an area of 4.5777 hectares. Original Certificate of Title No. 3019 covering the subject lot was issued in their favor.

On 10 June 1945, Marcos Mata (Mata) executed a Deed of Absolute Sale conveying the ownership of the subject lot in favor of Claro L. Laureta the predecessor-in-interest of private respondents. On 10 May 1947, Mata executed another document selling the same property to Fermin Caram, Jr. (Caram), who caused the cancellation of OCT No. 3019. In lieu thereof, Transfer Certificate of Title No. 140 was issued in Caram's name.

On 25 June 1956, Laureta filed before the Court of First Instance of Tagum (now RTC) an action, docketed as Civil Case No. 3083, to declare the first sale of the subject lot in his favor valid and the second sale thereof to Caram void.

On 29 February 1964, the CFI of Tagum rendered judgment as follows:

> "WHEREFORE, judgment is hereby rendered:
>
> 1. Declaring that the deed of sale, Exhibit A, executed by Marcos Mata in favor of Claro L. Laureta stands and prevails over the deed of sale, Exhibit F, in favor of Fermin Caram, Jr.;
>
> 2. Declaring as null and void the deed of sale, Exhibit F, in favor of Fermin Caram, Jr.;
>
> 3. Directing Marcos Mata to acknowledge the deed of sale, Exhibit A, in favor of Claro L. Laureta;
>
> 4. Directing Claro L. Laureta to secure the approval of the Secretary of Agriculture and Natural Resources on the deed, Exhibit A, after Marcos Mata shall have acknowledge the same before a notary public;

5. Directing Claro L. Laureta to surrender to the Register of Deeds for the City and Province of Davao the Owner's Duplicate of Original Certificate of Title No. 3019 and the latter to cancel the same;

6. Ordering the Register of Deeds for the City and Province of Davao to cancel Transfer Certificate of Title No. T-140 in the name of Fermin Caram, Jr.;

7. Directing the Register of Deeds for the City and Province of Davao to issue a title in favor of Claro L. Laureta, Filipino, resident of Quezon City, upon presentation of the deed executed by Marcos Mata in his favor, Exhibit A, duly acknowledge by him and approved by the Secretary of Agriculture and Natural Resources; and

8. Dismissing the counterclaim and crossclaim of Marcos Mata and Codidi Mata, the counterclaim of Caram, Jr., the answer in intervention, counterclaim and crossclaim of the Mansacas."[1]

On appeal by the spouses Mata and Caram, the CA affirmed the aforesaid decision of the CFI. Two (2) separate petitions for review were then filed by the Matas and Caram with this Court. The petition filed by the spouses Mata, docketed as G.R. No. L-29147, was dismissed by the Court for lack of merit on 20 June 1968. Said decision became final and executory on 26 July 1968. Upon the other hand, the petition filed by Caram, docketed as G.R. No. L-28740, was dismissed by the Court on 24 February 1981.[2] Said decision became final and executory on 12 February 1982.

Meanwhile, on 23 February 1979, spouses Mata filed with the Court of First Instance (now RTC), Branch 1 of Tagum, Davao del Norte, Civil Case No. 1071 against the Lauretas for recovery of ownership and possession of the subject lot. The spouses Mata alleged that the deed of sale executed between Mata and Laureta involving the subject lot is null and void and/or unenforceable because the same had not been approved by the Secretary of Agriculture and Natural Resources as required by law and as directed by the CFI of Davao in its decision of 29 February 1964 in Civil Case No. 3083, and that said decision could no longer be executed as the same had already prescribed.

On 12 February 1983, an alias writ of execution was issued by the CFI enforcing its decision in Civil Case No. 3083. By then, Mata was already dead while his heirs (petitioners) refused to acknowledge the deed of sale in accordance with the said decision. In lieu of the requisite acknowledgement, the officer-in-charge of the court (now RTC, Branch VIII, Davao City) certified and affirmed the due execution of the deed of sale executed between Mata and Laureta. Thereafter, on 21 February 1984, the deed of absolute sale in favor of Laureta was duly approved by the Minister of Natural Resources. Finally, on 9 May 1985, TCT No. T-46346 covering the subject lot was issued in the name of Laureta.

On 20 April 1983, the RTC rendered judgment in Civil Case No. 1071 declaring, among others, that the decision in Civil Case No. 3083 in favor of private respondents had "become stale and unenforceable due to prescription." It ordered the return of the ownership of the subject lot to petitioners.

On appeal by private respondents, the CA affirmed in toto the CFI decision in Civil Case No. 1071. The case was then elevated to the Supreme Court which reversed and set aside the decision of the CA. Speaking through Justice Regalado, the Court, in its decision[3] in G.R. No. 72194 promulgated on 5 April 1990, ruled that the execution of the judgment in Civil Case No. 3083 was not time-barred because the ten-year period for the execution of the judgment in Civil Case No. 3083 commenced to run only on 12 February 1982 when the decision denying Caram's petition became final and executory .

Upon the belief that they could still exercise their right to repurchase the subject lot under the Public Land Act, on 22 November 1990, petitioners filed with the RTC, Branch 1 of Tagum, Davao City, an action against private respondents for legal redemption, reconveyance and consignation, docketed as Civil Case No. 2468.

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Maintaining that Civil Case No. 2468 would render nugatory and ineffectual the decision of the court in G.R. No. 72194, private respondents instituted with this Court a petition for injunction and prohibition seeking, among others, to restrain the trial court from proceeding with said case. On 11 March 1991, this Court referred the same to the CA for resolution.

The CA ruled in favor of private respondents and permanently enjoined the RTC from further proceeding with Civil Case No. 2468. The CA categorically declared that petitioners' right to repurchase the subject lot under the Public Land Act had already prescribed.[4] Petitioners filed a motion for reconsideration but it was denied by the CA in its resolution, dated 12 November 1991.

Aggrieved, the petitioners filed the instant Petition for review alleging in the main that respondent CA erred in holding that petitioners' right to repurchase the subject property under Section 119 of the Public Land Act had already prescribed.

After the parties have submitted their respective pleadings, this Court issued a resolution, dated 5 September 1994, denying the petition for review for failure of the petitioners to sufficiently show that respondent court committed any reversible error in rendering the assailed decision.

Upon petitioners' motion for reconsideration, dated 27 September 1994, however, this Court, in its resolution, dated 24 October 1994, reinstated the instant petition, gave due course to the same and directed the parties to file their respective memoranda.

In their petition, the fundamental issue raised by petitioners is whether or not they could still exercise their right to repurchase the subject lot under the Public Land Act. In their motion for reconsideration and memorandum, however, petitioners question the validity of the sale of the subject lot to Laureta. They contend that said sale was void because the document evidencing the same was written in English, a language not understood by the vendor, and that it was not approved by the Office for the Southern Cultural Communities (OSCC) in violation of Section 4(n), Republic Act No. 1888, as amended, in relation to Section 120 of the Public Land Act.

Subsequently, the various pleadings separately filed by petitioners themselves, on one hand, and Atty. Rodolfo U. Jimenez, their counsel, and Isidro Sembrano, their purported attorney-in-fact, on the other hand, have left this Court baffled as to petitioners' real stand on the matter. Thus:

> 1. In a Manifestation with Motion, dated 23 November 1995, filed by petitioners themselves without the assistance of their counsel, the informed the Court that they have agreed to an amicable settlement of the case with private respondents. In view thereof, they prayed that they be allowed to withdraw their petition. Attached to the said Manifestation with Motion were petitioners' letters, dated 23 November 1995, addressed to their attorney-in-fact (Isidro Sembrano) and to their counsel-on-record (Attys. Winston F. Garcia and Rodolfo U. Jimenez), informing them of the termination of their services. The amicable settlement, of even date, purportedly signed by all the petitioners and private respondents' attorney-in-fact, was also attached to the said Manifestation with Motion.
>
> 2. On 15 January 1996, Celestino Mata and Andres Basaca filed with the Court their respective affidavits, dated 30 December 1995. Celestino Mata, one of petitioners, claimed that he is the same person referred to as Lucino Mata who was made to sign the Manifestation with Motion, the letters terminating the services of the attorney-in-fact and the lawyers, and the amicable settlement, all dated 23 November 1995. Celestino Mata averred that he did not understand the contents of these documents and that his signatures thereon were obtained by fraud.
>
> 3. For his part, Alfredo Basaca assailed the authority of Arcadio Mata Pasindo to sign the amicable settlement on behalf of the heirs of Marcos and Codidi Mata. While Alfredo Basaca asserted that he is one of the heirs of

the spouses Mata, however, the records show that he is not named as one of the petitioners in this case.

4. The Court, in its Resolution, dated 26 February 1996, directed the petitioners and Atty. Jimenez to comment on and/or confirm the Manifestation with Motion of 23 November 1995. In compliance therewith, Atty. Jimenez filed his Comment, dated 29 March 1996, informing the Court that he was not consulted by petitioners when they filed said Manifestation with Motion. He urged the Court to decide the case on the merits.

5. Upon the other hand, most of the petitioners, namely Calrita Mata Pasindo, Julieta Mata Abundo, Engracio Mata, Dagakan Mata vda. de Cuanas, Marcelo Mata, Severino Antolihao, Arcadio Mata Pasindo, Lucia Mata Antolihao and Meliton Mata, filed their Manifestation with Motion (to Comment and/or Confirm), dated 27 March 1996. They affirmed their respective signatures on the Manifestation with Motion of 23 November 1995 and the attachments thereto and averred that they understood the contents thereof as these were fully explained to them in the presence of the Provincial Officer of the OSCC in Tagum, Davao. They reiterated their prayer that they be allowed to withdraw their petition.

6. On 5 September 1996, Isidro Sembrano submitted to this Court a Joint Affidavit of petitioners Ceelstino Mata and Ricarda Mata, dated 21 February 1996, claiming, among others, that they were deceived into signing the amicable settlement. On 10 January 1997, Isidro Sembrano submitted a Joint Affidavit of Rosendo Mata-Pasindo, Carmelita Mata-Pasindo, Wlfredo Mata and Julieta Mata-Abundio, dated 9 January 1997, again claiming that they were deceived into signing the amicable settlement. Curiously, however, except for Julieta Mata-Abundio, the three (3) other affiants, namely, Rosendo Mata-Pasindo, Carmelita Mata-Pasindo and Wilfredo Mata, were not signatories to the amicable settlement.

7. On 23 June 1997, petitioners filed with the Court their Joint Affidavit, dated 26 May 1997, reiterating their Manifestation with Motion of 23 November 1995. They manifested in the Joint Affidavit that they voluntarily signed the amicable settlement and reiterated their prayer that they be allowed to withdraw their petition. In support of said Joint Affidavit, petitioners attached thereto the report of Mr. Romero A. Maing, the Provincial Officer of the OSCC in Tagum, Davao, dated 10 February, regarding an investigation he conducted on 3 February 1997 attended by petitioners. Mr. Maing attested that petitioners categorically denied having been coerced, forced or intimidated into signing the amicable settlement. Upon Mr. Maing's query, petitioners expressed their desire to proceed with the amicable settlement of the case.

8. Thereafter, Atty. Jimenez filed a motion, dated 25 August 1997, urging this Court to resolve the petition. He also filed a Motion to Require Personal Appearance of Petitioners before the OSCC to Verify their Final Stand on the Petition, dated 29 September 1997. In said motion, Atty. Jimenez admitted that he had only been in contact with the attorney-in-fact of petitioners and never with petitioners themselves.

9. Private respondents then filed a Motion to Dismiss Petition, dated 10 September 1997. Petitioners likewise filed an Opposition to Motion to Resolve Petition Filed by attorney Rodolfo U. Jimenez as Counsel for Petitioners, dated 1 October 1997. In said opposition, signed by all the petitioners themselves, they reiterated that the amicable settlement of 23 November 1995 was their own free and voluntary act. They explained that although it was written in English, the contents thereof were translated and fully explained to them in the dialect known to and understood by them. With regard to their relationship to Attorney Jimenez, petitioners denied that they personally engaged him to represent them in this case. It was allegedly only Isidro Sembrano, acting on his own, who engaged Atty. Jimenez' legal services. At any rate, having terminated the same on 23 November 1995, petitioners claimed that Atty. Jimenez no longer had any authority to represent them in the case. Petitioners reiterated their prayer that they be allowed to withdraw their petition. The Provincial Officer of the OSCC in Tagum, Davao issued a Certification, dated 3 October 1997, attesting that the contents of said opposition were fully explained to petitioners in their dialect.

10. In a resolution, dated 10 December 1997, the Court required Atty. Jimenez to file his comment on said opposition. In compliance therewith, Atty. Jimenez averred in his comment, dated 5 February 1998, that he is merely protecting the interests of petitioners and urged this Court to resolve the case on the merits. A few

months later, said counsel filed the Motion for Leave to File Attached Joint Affidavit of Some of the Petitioners, dated 1 June 1998. The Joint Affidavit, dated 20 March 1998, purportedly executed by six (6) affiants, namely, Arcadio M. Pasindo, Julieta M. Abundio, Celestino Mata, Clarita M. Pasindo, Marcelo Mata and Ricarda vda. de Ayonan, averred that they are retracting their statements contained in the Manifestation with Motion, dated 23 November 1995, and its attachments, and in the Opposition to Motion to Resolve Petition Filed by Atty. Rodolfo Jimenez as counsel for petitioners, dated 1 October 1997.

11. The affiants in said Joint Affidavit claimed that they were deceived into signing and/or affixing their thumbmarks on the said pleadings and documents. They stated that they are no longer withdrawing their petition and urged the Court to resolve it on the merits. A careful perusal of the said Joint Affidavit shows that petitioners Marcelo Mata and Ricarda vda. de Ayonan did not personally affix their respective signatures thereon. Rather, two (2) other persons signed above their names although it does not appear that they had been duly authorized by petitioners Marcelo Mata and Ricarda vda. de Ayonan to do so.

12. Petitioners thereafter filed their Opposition, dated 4 November 1998, to Atty. Jimenez' Motion to Resolve petition. Attached to the said opposition is a Clarificatory Affidavit, dated 26 August 1998, executed by the petitioners except Celestino Mata and Clarita Mata Pasindo, who did not affix their respective signatures thereon. In said affidavit, affiants accused Isidro Sembrano and Atty. Manuel Iral, Chief of the Legal Division of the Central Office of the OSCC of having conspired with each other and deceived some of the petitioners into signing the Joint Affidavit, dated 20 March 1998, and retracting their statements in the Manifestation with Motion, dated 23 November 1995. Affiants affirmed that they voluntarily signed said Manifestation with Motion and its attached documents including the amicable settlement. They likewise maintained that Isidro Sembrano is no longer authorized to act on their behalf and that Atty. Jimenez no longer had any authority to represent them in this case. Petitioners once again sought this Court's approval of their amicable settlement.

13. On 1 March 1999, Atty. Jimenez submitted to this Court an Investigation Report, dated 14 January 1999, purportedly prepared by Atty. Iral in his capacity as Chief of the Legal Division of the present National Commission on Indigenous People. Attached to the report were the Panunumpa, both dated 11 January 1999, of petitioners Celestino Mata and Clarita Mata-Pasindo. These affiants affirmed the retraction of their signatures on the Manifestation with Motion, dated 23 November 1995, claiming that they did not understand its contents. They likewise affirmed the appointment of Isidro Sembrano and Atty. Jimenez as their attorney-in-fact and counsel, respectively.

Given the dizzying and seeemingly interminable equivocation in the stance of the petitioners vis-à-vis the proposed amicable settlement of 23 November 1995, we are constrained to disregard the same and proceed with the resolution of the case on the merits.

I

As stated earlier, in their Motion for Reconsideration and Memorandum, petitioners harp on the alleged nullity of the deed of sale executed between Mata and Laureta in 1945 on the ground that it was written in English, a language not understood by the former, and that it was not approved by the OSCC in violation of Section 4(n), Republic Act No. 1888, as amended, in relation to Section 120 of the Public Land Act. The issue of the validity or nullity of the aforesaid deed of sale, however, had already been passed upon by this Court in the case of Caram, Jr. vs. Laureta,[5] the first case decided at length by this Court involving the subject property. Previously, another petition filed by Mata questioning the decision of the CA which upheld the sale of the subject property to Laureta was dismissed by this Court on 24 February 1981.

In the Caram case, the issue raised was which sale was valid considering that Mata sold the same property twice: first to Laureta and later on to Caram. We upheld therein the validity of the sale in favor of Laureta as we affirmed the findings of the lower court to the effect that while the sale to Laureta was voidable, as it was

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procured by force, the same "was cured when, after the lapse of four years from the time the intimidation ceased, Marcos Mata lost both his rights to file an action for annulment or set up the nullity of the contract as a defense in an action to enforce the same."[6] We stated therein that "the first sale in favor of Laureta prevails over the sale in favor of Caram."[7] This pronouncement cannot be construed in any other way but that the Court affirmed the validity of the sale of the subject property in favor of Laureta as against the sale of the same to Caram, which we categorically declared as void.

Then again, in the case of Heirs of Claro L. Laureta vs. Intermediate Appellate Court,[8] this Court ordered the dismissal of Civil Case No. 1071 filed by petitioners. It must be noted that in their complaint therein, petitioners also raised the issue of the nullity of the deed of sale executed between Mata and Laureta on the ground that, among others, it had not been approved by the then Secretary of Agriculture and Natural Resources as required by law. Thus, by ordering the dismissal of Civil Case No. 1071, we, in effect, upheld anew the validity of the sale of the subject property in favor of Laureta. In the said decision, we likewise allowed private respondents to proceed with the execution of the judgment in Civil Case No. 3083 as the same was not yet time-barred.

The foregoing rulings in the earlier related cases, which had long attained finality, upholding the validity of the sale of the subject property in favor of Laureta effectively foreclose any further inquiry as to its validity. This is in consonance with the doctrine of res judicata as embodied in Rule 39, Section 47 of the Rules of Court:

> "Sec. 47. Effect of judgments or final orders. - The effect of a judgment or final order rendered by a court of the Philippines, having jurisdiction to pronounce the judgment or final order, may be as follows:
>
> (a) x x x
>
> (b) In other cases, the judgment or final order is, with respect to the matter directly adjudged or as to any other matter that could have been raised in relation thereto, conclusive between the parties and their successors in interest by title subsequent to the commencement of the action or special proceeding, litigating for the same thing and under the same title and in the same capacity: and
>
> (c) In any other litigation between the same parties or their successors in interest, that only is deemed to have been adjudged in a former judgment or final order which appears upon its face to have been so adjudged , or which was actually and necessarily included therein or necessary thereto."

The doctrine of res judicata actually embraces two (2) concepts: the first is "bar by prior judgment" under paragraph (b) of Rule 39, Section 47, and the second is "conclusiveness of judgment" under paragraph (c) thereof.[9] In the present case, the second concept - conclusiveness of judgment - applies. The said concept is explained in this manner:

> "[A] fact or question which was in issue in a former suit and was there judicially passed upon and determined by a court of competent jurisdiction, is conclusively settled by the judgment therein as far as the parties to that action and persons in privity with them are concerned and cannot be again litigated in any future action between such parties or their privies, in the same court or any other court of concurrent jurisdiction on either the same or different cause of action, while the judgment remains unreversed by proper authority. It has been held that in order that a judgment in one action can be conclusion as to a particular matter in another action between the same parties or their privies, it is essential that the issue be identical. If a particular point or question is in issue in the second action, and the judgment will depend on the determination of that particular point or question, a former judgment between the same parties or their privies will be final and conclusive in the second if that same point or question was in issue and adjudicated in the first suit. x x x."[10]

Although the action instituted by petitioners in the lower court in this case (action for reconveyance) is different from the actions they instituted in the earlier cases, the concept of conclusiveness of judgment still applies

because under this principle "the identity of causes of action is not required but merely identity of issues."[11]

Simply put, conclusiveness of judgment bars the relitigation of particular facts or issues in another litigation between the same parties on a different claim or cause of action. In Lopez vs. Reyes,[12] we expounded on the concept of conclusiveness of judgment as follows:

> "The general rule precluding the relitigation of material facts or questions which were in issue and adjudicated in former action are commonly applied to all matters essentially connected with the subject matter of litigation. Thus it extends to questions `necessarily involved in an issue, and necessarily adjudicated, or necessarily implied in the final judgment, although no specific finding may have been made in reference thereto, and although such matters were directly referred to in the pleadings and were not actually or formally presented. Under this rule, if the record of the former trial shows that the judgment could not have been rendered without deciding the particular matter, it will be considered as having settled that matter as to all future actions between the parties, and if a judgment necessarily presupposes certain premises, they are as conclusive as the judgment itself. Reasons for the rule are that a judgment is an adjudication on all the matters which are essential to support it, and that every proposition assumed or decided by the court leading up to the final conclusion and upon which such conclusion is based is as effectually passed upon as the ultimate question which is solved."[13]

There is no question that the issue of the validity or nullity of the sale of the subject property in favor of Laureta had already been passed upon by this Court in Caram, where we categorically pronounced that the sale in favor of Laureta prevails over that of Caram, which we declared void, and in Laureta, where we stated that private respondents may still validly proceed with the execution of the decision in Civil Case No. 3083. Caram became final and executory on 12 February 1982 while Laureta on 5 July 1990. Applying the rule on conclusiveness of judgment, the matter may no longer be relitigated in this case.

As held in Legarda vs. Savellano[14]-

> "It is a general rule common to all civilized system of jurisprudence, that the solemn and deliberate sentence of the law, pronounced by its appointed organs, upon a disputed fact or a state of facts, should be regarded as a final and conclusive determination of the question litigated, and should forever set the controversy at rest. Indeed, it has been well said that this maxim is more than a mere rule of law, more than an important principle of public policy: and that it is not too much to say that it is a fundamental concept in the organization of the jural sytem. Public policy and sound practice demand that, at the risk of occasional errors, judgments of courts should become final at some definite date fixed by law. The very object for which courts were constituted was to put an end to controversies."[15]

II

The next issue is whether or not petitioners can still validly exercise their right to repurchase the subject property pursuant to Section 119 of the Public Land Act:

> "Sec. 119. Every conveyance of land acquired under the free patent or homestead provisions, when proper, shall be subject to repurchase by the applicant, his widow, or legal heirs, within a period of five (5) years from date of conveyance,"

The term "conveyance" imports the transfer of legal title from one person to another. It usually takes place upon the execution of the deed purporting to transfer the ownership of the land as the same is already valid and binding against the parties thereto even without the act of registration. The registration is intended to protect the buyer against claims of third parties against subsequent alienations by the vendor, and is certainly not necessary to give effect, as between the parties, to their deed of sale. Thus, for the purpose of reckoning the five-year period to

exercise the right to repurchase, the date of conveyance is construed to refer to the date of the execution of the deed transferring the ownership of the land to the buyer.[16]

In this case, Mata conveyed the ownership of the subject property to Laureta by virtue of a Deed of Absolute Sale, dated 10 June 1945. Petitioners, as heirs of Marcos Mata, filed the action for reconveyance (Civil Case No. 2468) on 24 November 1990. From this date up to the time of the filing of the action for reconveyance, more than forty-five (45) years had lapsed. Clearly, petitioners' right to redeem the subject property had already prescribed by the time they went to court. As correctly pointed out by the CA, if the five-year period to repurchase were to be reckoned from 12 February 1982, the date of finality of our decision in the Caram case[17] where we declared that the sale in favor of Laureta prevails over that in favor of Caram, prescription of the right to repurchase had set in.

The same conclusion would obtain even if the running of the five-year period were to start from 9 May 1985, when Transfer Certificate of Title No. T-46346 covering the subject property was issued in favor Laureta after the sale in his favor was approved by the Minister of Natural Resources in accordance with the decision in Civil Case No. 3083, petitioners' action to repurchase the subject property would still be time-barred, as more than five (5) years had already lapsed.

Petitioners further argue that the five-year period should be reckoned from September 1990, when the decision of this Court in Laureta[18] allegedly became final and executory. Petitioners maintain that prior to the said date, they could not exercise their right to repurchase since the issue of its ownership was still then under litigation. This contention is without merit. As earlier discussed, the act of conveyance within the meaning of the Section 119 of the Public Land Act had already been made long before the finality of our decision in Laureta. At any rate, said case resolved an entirely different issue, i.e., whether or not private respondents' motion for execution of the judgment in Civil Case No. 3083 was time-barred. Accordingly, the CA correctly ordered the dismissal of petitioners' action for reconveyance on ground of prescription.

III

With respect to the procedural issue raised by petitioners, i.e., whether the CA erred in granting private respondents' petition for injunction as it had allegedly the effect of disposing the case without trial on the merits, suffice it to say that since private respondents' right to injunctive relief was clear, the CA properly granted the same. The CA, likewise, correctly ordered the dismissal of Civil Case No. 2468 as the records of the case clearly showed that petitioners' right to repurchase had already prescribed. A trial on the merits thereon would serve no other purpose and would only result in needless delay.

Indeed, this controversy has already dragged on for more than half a century, it is, thus, high time that we write finis to it.

> "x x x (L)itigations 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 a 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. xxx."[19]

WHEREFORE, premises considered, the petition is hereby DENIED and the assailed decision of the respondent Court of Appeals is AFFIRMED.

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SO ORDERED.

Davide, Jr., C.J., (Chairman), Puno, Pardo, and Ynares-Santiago, JJ., concur.

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[1] Rollo, pp. 33-34.

[2] Caram, Jr. vs. Laureta, 103 SCRA 7 (1981).

[3] Heirs of Claro L. Laureta vs. Intermediate Apellate Court, 184 SCRA 157 (1990).

[4] CA Decision, Rollo, pp. 32-38.

[5] See Note 2.

[6] Id., at 17.

[7] Id., at 19.

[8] See Note 3.

[9] Camara vs. Court of Appeals, G.R. No. 100789, 20 July 1999.

[10] Calalang vs. Register of Deeds of Quezon City, 231 SCRA 88(1994).

[11] Id., at 99.

[12] 76 SCRA 179 (1977).

[13] Id., at 186-187. Emphases supplied.

[14] 158 SCRA 194 (1988).

[15] Id., at 200.

[16] Galanza vs. Nuesa, 95 Phil. 713 (1954) citing Carillo vs. Salak, 91 Phil 265 (1952). See also Galisinao vs. Austria, 97 Phil. 82 (1955)..

[17] See Note 2.

[18] See Note 3.

[19] Gomez vs. Presiding Judge, RTC Br. 15, Ozamis City, 249 SCRA 432, 438-439 (1995), cited in Eternal Gardens Memorial Park Corp. vs. Court of Appeals, 293 SCRA 622, 624 (1998).

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