

HEIRS OF MELECIO ARCEO, CLAIMANTS AND APPELLEES, VS. ANDRES E. VARELA, CLAIMANT AND APPELLANT.

G.R. No. 11073. May 30, 1958

Ponente: REYES, J.B.L., J.

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REYES, J.B.L., J.:

This is an appeal by Andres E. Varela from the decision of the Court of First Instance of Batangas in its Cadastral Case No. 50, G.L.R.O. Record No. 1820, adjudging and decreeing the registration of Lot No. 14076 of the Batangas Cadastre in the name of claimants Heirs of Melecio Arceo. The land involved, together with the improvements thereon, appears to have a total assessed value of P1,640.00.

Appellant assigns the following errors:

I

The trial court erred in holding that ownership of Lot No. 14076 has been proved by the decision in civil case No. 4001, as affirmed in G. R. No. L-3052, promulgated on June 29, 1954.

II

The trial court erred in holding that possession and ownership of Lot No. 14076 by appellees have been proved by their testimonial and documentary evidence.

III

The trial court erred in not giving credence to appellant's testimonial and documentary evidence, and in not decreeing Lot No. 14076 to appellant.

Considering that the value of the subject-matter of the case is less than P50,000, and the appeal raises questions of fact as shown by the above assignment of errors, the present appeal falls within the exclusive appellate jurisdiction of the Court of Appeals.

Wherefore, in accordance with the provisions of sec. 31 of the Judiciary Act of 1948 as amended, this appeal is ordered certified to the Court of Appeals there to be decided and disposed of in accordance with law.

Paras C.J., Bengzon, Montemayor, Bautista Angelo, Concepcion, Endencia, and Felix, JJ., concur.

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