

**SANTIAGO SAMBRANO, ET AL., PLAINTIFFS AND APPELLANTS, VS.
REHABILITATION FINANCE CORPORATION, DEFENDANT AND
APPELLEE, JOSE M. TORRES, DEFENDANT AND APPELLANT.**

G.R. No. 13300. April 30, 1960

Ponente: BAUTISTA ANGELO, J.

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BAUTISTA ANGELO, J.:

Appeal from the decision of the Court of First Instance of Cagayan dismissing the complaint but ordering plaintiff Santiago Sambrano to pay the Rehabilitation Finance Corporation, by way of accrued rentals of the Aparri Electric Plant, the sum of P5,827.88, with legal interest thereon from the date the decision becomes final. Both plaintiffs and defendant Jose M. Torres have appealed directly to this Court apparently because the amount involved is more than P50,000.00. Considering that the sum claimed to P155,000.00, whereas defendant Rehabilitation Finance Corporation, by way of counterclaim, claims only the aggregate sum of P70,000.00, as damages and attorney's fees only amounts, while defendant Torres, in his answer, claims the aggregate amount of P36,000.00 as damages and attorney's fees, which respective claims can only be considered in the alternative form for purposed of determining the jurisdiction of the court, and considering further that in some of the errors assigned some questions of fact are involved, it is evident that this case comes within the jurisdiction of the Court of Appeals in line with the provisions of Section 2 of Republic Act 2613.

The case is ordered certified to the Court of Appeals for adjudication in accordance with law.

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