

**SPRINGFIELD DEVELOPMENT CORPORATION, INC. AND HEIRS OF  
PETRA CAPISTRANO PIIT, PETITIONERS, VS. HONORABLE  
PRESIDING JUDGE OF REGIONAL TRIAL COURT OF MISAMIS  
ORIENTAL, BRANCH 40, ...**

*G.R. NO. 142628. February 06, 2007*

Ponente: AUSTRIA-MARTINEZ, J.

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**AUSTRIA-MARTINEZ, J.:**

Before the Court is a petition for review on certiorari under Rule 45 of the Rules of Court. The principal issue presented for resolution is whether the Regional Trial Court (RTC) has jurisdiction to annul final judgment of the Department of Agrarian Reform Adjudication Board (DARAB).

The antecedent facts:

Petra Capistrano Piit previously owned Lot No. 2291 located in Cagayan de Oro City which measured 123,408 square meters under Transfer Certificate of Title No. T-62623. Springfield Development Corporation, Inc. (Springfield) bought Lot No. 2291-C with an area of 68,732 square meters, and Lot No. 2291-D with an area of 49,778 square meters.[1] Springfield developed these properties into a subdivision project called Mega Heights Subdivision.[2]

On May 4, 1990, the Department of Agrarian Reform (DAR), through its Municipal Agrarian Reform Officer, issued a Notice of Coverage,[3] placing the property under the coverage of Republic Act (R.A.) No. 6657 or the Comprehensive Agrarian Reform Law of 1988. There being an opposition from the heirs of Petra Piit, the case was docketed as DARAB Case No. X-305. On August 27, 1991, DARAB Provincial Adjudicator Abeto A. Salcedo, Jr. rendered a decision declaring the nature of the property as residential and not suitable for agriculture.[4] The Regional Director filed a notice of appeal, which the Provincial Adjudicator disallowed for being pro forma and frivolous.[5] The decision became final and executory[6] and Springfield proceeded to develop the property.[7]

The DAR Regional Director then filed a petition for relief from judgment of the DARAB Decision, docketed as DARAB Case No. 0555. In its Decision dated October 5, 1995, the DARAB granted the petition and gave due course to the Notice of Coverage. It also directed the Municipal Agrarian Reform Office to proceed with the documentation, acquisition, and distribution of the property to the true and lawful beneficiaries.[8]

The DARAB also issued an Order dated May 22, 1997, ordering the heirs of Piit and Springfield to pay the farmer-beneficiaries the amount of Twelve Million, Three Hundred Forty Thousand, Eight Hundred Pesos (P12,340,800.00), corresponding to the value of the property since the property has already been developed into a subdivision.

On June 13, 1997, Springfield and the heirs of Piit (petitioners) filed with the RTC of Cagayan de Oro City, Branch 40, a petition for annulment of the DARAB Decision dated October 5, 1995 and all its subsequent

proceedings. Petitioners contend that the DARAB decision was rendered without affording petitioners any notice and hearing.[9]

On motion filed by the farmer-beneficiaries, the RTC issued an Order dated June 25, 1997, dismissing the case for lack of jurisdiction.[10]

On July 2, 1997, petitioners filed with the Court of Appeals (CA) a special civil action for certiorari, mandamus, and prohibition with prayer for the issuance of writ of preliminary injunction and/or temporary restraining order, docketed as CA-G.R. SP No. 44563.[11] Petitioners alleged that the RTC committed grave abuse of discretion when it ruled that the annulment of judgment filed before it is actually an action for certiorari in a different color. According to petitioners, what it sought before the RTC is an annulment of the DARAB Decision and not certiorari, as the DARAB Decision is void ab initio for having been rendered without due process of law.[12]

In the assailed Decision[13] dated July 16, 1998, the CA dismissed the petition for lack of merit, ruling that the RTC does not have jurisdiction to annul the DARAB Decision because it is a co-equal body.[14]

However, on January 12, 1999, the CA ordered the elevation of the DARAB records before it, declaring that it "overlooked the fact that petitioners likewise applied for a writ of prohibition against the enforcement of the DARAB decision which they claim to be patently void." [15] Forwarded to the CA were the records of the original case filed with the DARAB-Region X, and it appearing that the petition for relief from judgment and its pertinent records were forwarded to the DARAB Central Office, the CA issued another Resolution on December 20, 1999,[16] requiring the DARAB Central Office to forward the records of the case. But after receipt of the records, the CA simply denied petitioners' motion for reconsideration per Resolution[17] dated February 23, 2000 without specifically resolving the issues raised concerning the prayer for a writ of prohibition.

Hence, the present petition on the following grounds:

I

THE COURT OF APPEALS COMMITTED A CLEAR ERROR OF LAW IN APPLYING THE PRINCIPLE OF JUDICIAL STABILITY TO JUSTIFY ITS CONCLUSION DIVESTING THE REGIONAL TRIAL COURT OF ITS JURISDICTION VESTED BY LAW OVER CASES WHERE THE EXCLUSIVE JURISDICTION WAS NOT EXPRESSLY GRANTED TO ANY OTHER COURTS [SIC] OR TRIBUNAL, IN EFFECT, MODIFYING THE APPLICABLE LAW ON THE MATTER.

II

THE COURT OF APPEALS IRREGULARLY DISMISSED PETITIONERS' MOTION FOR RECONSIDERATION AFTER IT HAD RESOLVED TO ENTERTAIN PETITIONERS' PETITION FOR PROHIBITION AND TO REVIEW THE DARAB PROCEEDINGS, THEREBY DEPARTING FROM THE USUAL COURSE OF JUDICIAL PROCEEDINGS.

III

THE HONORABLE SUPREME COURT, BEING THE HIGHEST TEMPLE OF RIGHTS, AND TO AVOID SERIOUS MISCARRIAGE OF JUSTICE AND NEEDLESS DELAYS, IS MOST RESPECTFULLY URGED TO TAKE COGNIZANCE OF THE PETITION FILED IN CA-G.R. SP No. 44563 IN THE EXERCISE OF ITS CONCURRENT JURISDICTION, AS IF THE PETITION WAS ORIGINALLY LODGED BEFORE IT.[18]

Petitioners argue that under Batas Pambansa (B.P.) Blg. 129, there is no provision that vests with the CA jurisdiction over actions for annulment of DARAB judgments. Petitioners, however, contend that the RTC may take cognizance of the annulment case since Section 19 of B.P. Blg. 129 vests the RTC with general jurisdiction

and an action for annulment is covered under such general jurisdiction. According to petitioners, "this is but a logical consequence of the fact that no other courts were expressly given the jurisdiction over such actions." [19] Petitioners further argue that the CA was in error when it summarily ignored their application for a writ of prohibition, as it was necessary to restrain the DARAB from enforcing its void decision; and even if the DARAB decision was valid, the writ of prohibition could have enjoined the execution of the DARAB decision since there have been changes which will make the execution unjust and inequitable.

In their Joint-Comments, the farmer-beneficiaries and the DARAB (respondents) refute petitioners' allegation that they were not afforded due process in the DARAB proceedings, stating that petitioners were impleaded as a party thereto, and in fact, they attended some of the hearings although their counsel was absent. Respondents also adopt the CA's ruling that the RTC is not vested with any jurisdiction to annul the DARAB decision.

As stated at the outset, the main issue in this case is whether the RTC has jurisdiction to annul a final judgment of the DARAB.

Note must be made that the petition for annulment of the DARAB decision was filed with the RTC on June 13, 1997, before the advent of the 1997 Rules of Civil Procedure, which took effect on July 1, 1997. Thus, the applicable law is B.P. Blg. 129 or the Judiciary Reorganization Act of 1980, enacted on August 10, 1981.

It is also worthy of note that before the effectivity of B.P. Blg. 129, a court of first instance has the authority to annul a final and executory judgment rendered by another court of first instance or by another branch of the same court. This was the Court's ruling in *Dulap v. Court of Appeals*. [20] Yet, in subsequent cases, [21] the Court held that the better policy, as a matter of comity or courteous interaction between courts of first instance and the branches thereof, is for the annulment cases to be tried by the same court or branch which heard the main action.

The foregoing doctrines were modified in *Ngo Bun Tiong v. Sayo*, [22] where the Court expressed that pursuant to the policy of judicial stability, the doctrine of non-interference between concurrent and coordinate courts should be regarded as highly important in the administration of justice whereby the judgment of a court of competent jurisdiction may not be opened, modified or vacated by any court of concurrent jurisdiction.

With the introduction of B.P. Blg. 129, [23] the rule on annulment of judgments was specifically provided in Section 9(2), which vested in the then Intermediate Appellate Court (now the CA) the exclusive original jurisdiction over actions for annulment of judgments of RTCs. Sec. 9(3) of B.P. Blg. 129 also vested the CA with "exclusive appellate jurisdiction over all final judgments, decisions, resolutions, orders, or awards of Regional Trial Courts and quasi-judicial agencies, instrumentalities, boards or commissions, except those falling within the appellate jurisdiction of the Supreme Court in accordance with the Constitution, the provisions of this Act, and of sub-paragraph (1) of the third paragraph and subparagraph (4) of the fourth paragraph of Section 17 of the Judiciary Act of 1948." As provided in paragraph 16 of the Interim Rules and Guidelines implementing B.P. Blg. 129, the quasi-judicial bodies whose decisions are exclusively appealable to the CA are those, which under the law, R.A. No. 5434, [24] or its enabling acts, are specifically appealable to the CA.

Significantly, B.P. Blg. 129 does not specifically provide for any power of the RTC to annul judgments of quasi-judicial bodies. However, in *BF Northwest Homeowners Association, Inc. v. Intermediate Appellate Court*, [25] the Court ruled that the RTCs have jurisdiction over actions for annulment of the decisions of the National Water Resources Council, which is a quasi-judicial body ranked with inferior courts, pursuant to its original jurisdiction to issue writs of certiorari, prohibition, and mandamus, under Sec. 21(1) of B.P. Blg. 129, in relation to acts or omissions of an inferior court. This led to the conclusion that despite the absence of any provision in B.P. Blg. 129, the RTC had the power to entertain petitions for annulment of judgments of inferior courts and administrative or quasi-judicial bodies of equal ranking. This is also in harmony with the "pre-B.P.

Blg. 129" rulings of the Court recognizing the power of a trial court (court of first instance) to annul final judgments.[26] Hence, while it is true, as petitioners contend, that the RTC had the authority to annul final judgments, such authority pertained only to final judgments rendered by inferior courts and quasi-judicial bodies of equal ranking with such inferior courts.

The foregoing statements beg the next question, i.e., whether the DARAB is a quasi-judicial body with the rank of an inferior court such that the RTC may take cognizance of an action for the annulments of its judgments. The answer is no.

The DARAB is a quasi-judicial body created by Executive Order Nos. 229 and 129-A. R.A. No. 6657 delineated its adjudicatory powers and functions. The DARAB Revised Rules of Procedure adopted on December 26, 1988[27] specifically provides for the manner of judicial review of its decisions, orders, rulings, or awards. Rule XIV, Section 1 states:

SECTION 1. Certiorari to the Court of Appeals. Any decision, order, award or ruling by the Board or its Adjudicators on any agrarian dispute or on any matter pertaining to the application, implementation, enforcement or interpretation of agrarian reform laws or rules and regulations promulgated thereunder, may be brought within fifteen (15) days from receipt of a copy thereof, to the Court of Appeals by certiorari, except as provided in the next succeeding section. Notwithstanding an appeal to the Court of Appeals the decision of the Board or Adjudicator appealed from, shall be immediately executory.

Further, the prevailing 1997 Rules of Civil Procedure, as amended, expressly provides for an appeal from the DARAB decisions to the CA.[28]

The rule is that where legislation provides for an appeal from decisions of certain administrative bodies to the CA, it means that such bodies are co-equal with the RTC, in terms of rank and stature, and logically, beyond the control of the latter.[29]

Given that DARAB decisions are appealable to the CA, the inevitable conclusion is that the DARAB is a co-equal body with the RTC and its decisions are beyond the RTC's control. The CA was therefore correct in sustaining the RTC's dismissal of the petition for annulment of the DARAB Decision dated October 5, 1995, as the RTC does not have any jurisdiction to entertain the same.

This brings to fore the issue of whether the petition for annulment of the DARAB judgment could be brought to the CA. As previously noted, Section 9(2) of B.P. Blg. 129 vested in the CA the exclusive original jurisdiction over actions for annulment of judgments, but only those rendered by the RTCs. It does not expressly give the CA the power to annul judgments of quasi-judicial bodies. Thus, in *Elcee Farms, Inc. v. Semillano*,[30] the Court affirmed the ruling of the CA that it has no jurisdiction to entertain a petition for annulment of a final and executory judgment of the NLRC, citing Section 9 of B.P. Blg. 129, as amended, which only vests in the CA "exclusive jurisdiction over actions for annulment of judgments of Regional Trial Courts." This was reiterated in *Galang v. Court of Appeals*,[31] where the Court ruled that that the CA is without jurisdiction to entertain a petition for annulment of judgment of a final decision of the Securities and Exchange Commission.

Recent rulings on similar cases involving annulments of judgments of quasi-judicial bodies are also quite instructive on this matter.

In *Cole v. Court of Appeals*,[32] involving an annulment of the judgment of the HLURB Arbiter and the Office of the President (OP), filed with the CA, the Court stated that, "(U)nder Rule 47 of the Rules of Court, the remedy of annulment of judgment is confined to decisions of the Regional Trial Court on the ground of extrinsic fraud and lack of jurisdiction x x x." The Court further ruled, viz.

Although the grounds set forth in the petition for annulment of judgment are fraud and lack of jurisdiction, said petition cannot prosper for the simple reason that the decision sought to be annulled was not rendered by the Regional Trial Court but by an administrative agency (HLU Arbiter and Office of the President), hence, not within the jurisdiction of the Court of Appeals. There is no such remedy as annulment of judgment of the HLURB or the Office of the President. Assuming arguendo that the annulment petition can be treated as a petition for review under Rule 43 of the 1997 Rules of Civil Procedure, the same should have been dismissed by the Court of Appeals, because no error of judgment was imputed to the HLURB and the Office of the President. Fraud and lack of jurisdiction are beyond the province of petitions under Rule 43 of the Rules of Court, as it covers only errors of judgment. A petition for annulment of judgment is an initiatory remedy, hence no error of judgment can be the subject thereof. Besides, the Arbiter and the Office of the President indisputably have jurisdiction over the cases brought before them in line with our ruling in *Francisco Sycip, Jr. vs. Court of Appeals*, promulgated on March 17, 2000, where the aggrieved townhouse buyers may seek protection from the HLURB under Presidential Decree No. 957, otherwise known as "Subdivision and Condominium Buyers' Protective Decree." [33] (Emphasis supplied)

In *Macalalag v. Ombudsman*, [34] the Court ruled that Rule 47 of the 1997 Rules of Civil Procedure on annulment of judgments or final orders and resolutions covers "annulment by the Court of Appeals of judgments or final orders and resolutions in civil actions of Regional Trial Courts for which the ordinary remedies of new trial, appeal, petition for relief or other appropriate remedies could no longer be availed of through no fault of the petitioner." Thus, the Court concluded that judgments or final orders and resolutions of the Ombudsman in administrative cases cannot be annulled by the CA, more so, since The Ombudsman Act specifically deals with the remedy of an aggrieved party from orders, directives and decisions of the Ombudsman in administrative disciplinary cases only, and the right to appeal is not to be considered granted to parties aggrieved by orders and decisions of the Ombudsman in criminal or non-administrative cases.

While these cases involve annulments of judgments under the 1997 Rules of Civil Procedure, as amended, still, they still find application in the present case, as the provisions of B.P. Blg. 129 and the 1997 Rules of Civil Procedure, as amended, on annulment of judgments are identical.

Consequently, the silence of B.P. Blg. 129 on the jurisdiction of the CA to annul judgments or final orders and resolutions of quasi-judicial bodies like the DARAB indicates its lack of such authority.

Further, petitioners are also asking the Court to take cognizance of their prayer for the issuance of a writ of prohibition, which they claim was not acted upon by the CA, citing the Court's action in *Fortich v. Corona* [35] where the Court took cognizance of the petition previously filed with the CA due to compelling reasons. The Court is not persuaded to do so.

*Fortich* involved a 144-hectare land located at San Vicente, Sumilao, Bukidnon, owned by the Norberto Quisumbing, Sr. Management and Development Corporation (NQSRMDC), which was leased as a pineapple plantation to Del Monte Philippines, Inc. for a period of 10 years. During the existence of the lease, the DAR placed the entire 144-hectare property under compulsory acquisition and assessed the land value at P2.38 million. When the NQSRMDC/BAIDA (Bukidnon Agro-Industrial Development Association) filed an application for conversion due to the passage of Resolution No. 6 by the Provincial Development Council of Bukidnon and Ordinance No. 24 by the Sangguniang Bayan of Sumilao, Bukidnon, reclassifying the area from agricultural to industrial/institutional, the same was disapproved by the DAR Secretary and instead, the property was placed under the compulsory coverage of Comprehensive Agrarian Reform Program for distribution to all qualified beneficiaries. This prompted Governor Carlos O. Fortich of Bukidnon to file an appeal with the OP, while NQSRMDC filed with the CA a petition for certiorari, and prohibition with preliminary injunction.

The OP then issued a Decision dated March 29, 1996 reversing the DAR Secretary's decision and approving the

application for conversion. Executive Secretary Ruben D. Torres denied the DAR's motion for reconsideration for having been filed beyond the reglementary period of 15 days, and it was also declared that the OP Decision dated March 29, 1996 had already become final and executory.

Because of this, the farmer-beneficiaries staged a hunger strike on October 9, 1997, protesting the OP's decision. In order to resolve the strike, the OP issued a so-called "Win/Win" resolution on November 7, 1997, modifying the decision in that NQSRMDC's application for conversion is approved only with respect to the approximately 44-hectare portion of the land adjacent to the highway, as recommended by the Department of Agriculture, while the remaining approximately 100 hectares traversed by an irrigation canal and found to be suitable for agriculture shall be distributed to qualified farmer-beneficiaries.

A petition for certiorari and prohibition under Rule 65 of the Revised Rules of Court[36] was then filed with the Court, which was contested by the Office of the Solicitor General on the ground that the proper remedy should have been to file a petition for review directly with the CA in accordance with Rule 43 of the Revised Rules of Court.

In resolving the issue, the Court recognized the rule that the Supreme Court, CA and RTC have original concurrent jurisdiction to issue a writ of certiorari, prohibition, and mandamus. However, due to compelling reasons and in the interest of speedy justice, the Court resolved to take primary jurisdiction over the petition in the interest of speedy justice, after which the Court nullified the act of the OP in re-opening the case and substantially modifying its March 29, 1996 Decision which had already become final and executory, as it was in gross disregard of the rules and basic legal precept that accord finality to administrative determinations.

It must be stressed at this point that the Court, as a rule, will not entertain direct resort to it unless the redress desired cannot be obtained in the appropriate courts, and exceptional and compelling circumstances, such as cases of national interest and of serious implications, justify the availment of the extraordinary remedy of writ of certiorari, prohibition, or mandamus calling for the exercise of its primary jurisdiction.[37] The Court finds no compelling circumstances in this case to warrant a relaxation of the foregoing rule. The Fortich case is not analogous with the present case such that the Court is not bound to abandon all rules, take primary jurisdiction, and resolve the merits of petitioners' application for a writ of prohibition.

In the present case, the assailed DARAB Decision dated October 5, 1995 granting the petition for relief from judgment and giving due course to the Notice of Coverage was made pursuant to a petition for relief from judgment filed by the DAR, albeit petitioners are contesting the validity of the proceedings held thereon. On the other hand, in Fortich, the OP's "Win/Win" resolution dated November 7, 1997 was made *motu proprio*, as a result of the hunger strike staged by the farmer-beneficiaries.

Further, the OP's "Win/Win" Resolution dated November 7, 1997 in the Fortich case is a patently void judgment since it was evident that there was already an existing final and executory OP Decision dated March 29, 1996. In this case, the assailed DARAB Decision dated October 5, 1995 appears to be regular on its face, and for its alleged nullity to be resolved, the Court must delve into the records of the case in order to determine the validity of petitioners' argument of lack of due process, absent notice and hearing.

Moreover, the principle of hierarchy of courts applies generally to cases involving factual questions. As it is not a trier of facts, the Court cannot entertain cases involving factual issues.[38] The question of whether the DARAB Decision dated October 5, 1995 is null and void and enforceable against petitioners for having been rendered without affording petitioners due process is a factual question which requires a review of the records of this case for it to be judiciously resolved.

The Court notes that the CA, indeed, failed to resolve petitioners' prayer for the issuance of the writ of prohibition, which, significantly, focuses on the alleged nullity of the DARAB Decision dated October 5, 1995. On this score, the CA found that the application for the issuance of the writ of prohibition was actually a collateral attack on the validity of the DARAB decision. But, a final and executory judgment may be set aside in three ways;<sup>[39]</sup> and a collateral attack, whereby in an action to obtain a different relief, an attack on the judgment is nevertheless made as an incident thereof,<sup>[40]</sup> is one of these. This tenet is based upon a court's inherent authority to expunge void acts from its records.<sup>[41]</sup> Despite recognizing the need to resolve petitioners' application for the writ of prohibition in its Resolution dated January 12, 1999, the CA nonetheless summarily denied petitioners' motion for reconsideration in its Resolution dated February 23, 2000,<sup>[42]</sup> leaving the matter hanging and unresolved.

At first, the Court considered resolving the merits of petitioners' motion for reconsideration concerning their application for a writ of prohibition against enforcing the DARAB Decision dated October 5, 1995. Thus, in a Resolution dated June 5, 2006, the Court directed the CA to transmit the records of DARAB Case No. 0555, which was previously required by the CA to be forwarded to it per Resolution dated December 20, 1999.<sup>[43]</sup> However, as of even date, the CA has not complied with the Court's Resolution. Withal, upon re-examination of the issues involved in this case, the Court deems it more judicious to remand this case to the CA for immediate resolution of petitioners' motion for reconsideration, re: their application for the writ of prohibition.

Moreover, the radical conflict in the findings of the Provincial Adjudicator and the DARAB as regards the nature of the subject property necessitates a review of the present case. In this regard, the CA is in a better position to fully adjudicate the case for it can delve into the records to determine the probative value of the evidence supporting the findings of the Provincial Adjudicator and of the DARAB. In addition, the CA is empowered by its internal rules to require parties to submit additional documents, as it may find necessary to promote the ends of substantial justice, and further order the transmittal of the proper records for it to fully adjudicate the case. After all, it is an avowed policy of the courts that cases should be determined on the merits, after full opportunity to all parties for ventilation of their causes and defenses, rather than on technicality or some procedural imperfections. In that way, the ends of justice would be served better.<sup>[44]</sup>

WHEREFORE, the petition is **PARTLY GRANTED**. This case is **REMANDED** to the Court of Appeals which is **DIRECTED** to resolve petitioners' prayer for the issuance of the writ of prohibition in their Motion for Reconsideration.

Upon finality of this Decision, let the records be remanded forthwith to the Court of Appeals.

No pronouncement as to costs.

SO ORDERED.

Ynares-Santiago, (Chairperson), Callejo, Sr., and Chico-Nazario, JJ., concur.

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[1] Leaving out 4,898 square meters.

[2] Rollo, pp. 57-58, CA Decision dated July 16, 1998.

[3] Records, p. 42.

[4] Id. at 13-16.

[5] Id. at 32-33.

[6] Id. at 81.

[7] Rollo, p. 58.

[8] Id. at 134-142.

[9] Id. at 90-99.

[10] Id. at 87-89.

[11] CA rollo, p. 2.

[12] Rollo, pp. 74-83.

[13] Penned by Associate Justice Hector L. Hofileña (now retired), with Associate Justices Minerva P. Gonzaga-Reyes (now retired Member of the Supreme Court) and Oman U. Amin (now retired), concurring.

[14] Rollo, pp. 60-64.

[15] Id. at 68-69.

[16] Id. at 71-73.

[17] Penned by Associate Justice Adefuin-dela Cruz (vice retired Justice Hofileña), with Associate Justices Eubulo G. Verzola (now deceased, vice Justice Gonzaga-Reyes) and Eduardo P. Cruz (new member), concurring; CA rollo, p. 298.

[18] Rollo, pp. 32-33.

[19] Id. at 34.

[20] 149 Phil. 636, 647 (1971).

[21] *Gianan v. Imperial*, 154 Phil. 705, 710 (1974); *Francisco v. Aquino*, G.R. Nos. L-33235-6, July 29, 1976, 72 SCRA 140, 145.

[22] G.R. No. L-45825, June 30, 1988, 163 SCRA 237, 243; *Mercado v. Ubay*, G.R. No. 35830, July 24, 1990, 187 SCRA 719, 724.

[23] Under the repealing clause of B.P. Blg. 129 (Section 47), the inconsistent provisions of: R.A. No. 296 or the Judiciary Act of 1948; R.A. No. 5179, as amended, or the 1964 Rules of Court; and all other statutes and letters of instructions and general orders, were repealed or accordingly modified.

[24] Entitled "An Act to Provide a Uniform Procedure for Appeals from the Court of Agrarian Relations, the Secretary of Labor under Section 7 of Republic Act Numbered Six Hundred Two, also known as 'The Minimum Wage Law,' the Department of Labor under Section 23 of Republic Act Numbered Eight Hundred Seventy-Five, also known as 'The Industrial Peace Act,' the Land Registration Commission, the Securities and Exchange Commission, the Social Security Commission, the Civil Aeronautics Board, the Patent Office, and the Agricultural Inventions Board, and for other purposes."

[25] G.R. No. L-72370, May 29, 1987, 150 SCRA 543, 552.

[26] See *Dulap v. Court of Appeals*, *supra* note 20, et seq.

[27] The DARAB Revised Rules of Procedure took effect on February 6, 1989, fifteen (15) days after its publication in *The Manila Standard* and *The Philippine Daily Inquirer*.

[28] Rule 43.

- [29] Board of Commissioners v. Dela Rosa, 274 Phil. 1156, 1191 (1991).
- [30] G.R. No. 150286, October 17, 2003, 413 SCRA 669, 676.
- [31] G.R. No. 139448, October 11, 2005, 472 SCRA 259, 269.
- [32] 401 Phil. 920 (2000).
- [33] Id. at 931-932.
- [34] G.R. No. 147995, March 4, 2004, 424 SCRA 741, 745.
- [35] 352 Phil. 461 (1998).
- [36] Docketed as G.R. No. 131457.
- [37] Mangaliag v. Catubig-Pastoral, G.R. No. 143951, October 25, 2005, 474 SCRA 153, 161.
- [38] Chavez v. Public Estates Authority, 433 Phil. 506, 524 (2002).
- [39] First, a petition for relief from judgment under Rule 38 of the Rules of Court on grounds of fraud, accident, mistake and excusable negligence filed within sixty (60) days from the time petitioner learns of the judgment but not more than six (6) months from the entry thereof; second, a direct action to annul the judgment on the ground of extrinsic fraud; and third, a direct action for certiorari or collateral attack to annul a judgment that is void upon its face or void by virtue of its own recitals. Arcelona v. Court of Appeals, 345 Phil. 250, 263 (1997).
- [40] Mallilin, Jr. v. Castillo, 389 Phil. 153, 165 (2000).
- [41] Rocas v. House of Representatives Electoral Tribunal, G.R. No. 167499, September 15, 2005, 469 SCRA 681, 695.
- [42] Supra note 17.
- [43] Supra note 16.
- [44] Jaro v. Court of Appeals, 427 Phil. 532, 548 (2002).

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