

**ENCARNACION L. CUIZON AND SALVADOR CUIZON, PETITIONERS,
VS. MERCEDES C. REMOTO, LEONIDA R. MEYNARD, CELERINA R.
ROSALES, AND REMEDIOS C. REMOTO, RESPONDENTS**

G.R. NO. 143027. March 31, 2006

Ponente: AUSTRIA-MARTINEZ, J.

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AUSTRIA-MARTINEZ, J.:

In the Decision dated October 11, 2005 in the above-entitled case, the Court dismissed the petition and affirmed the CA Decision dated December 16, 1999. The dispositive portion of the Court's Decision reads:

WHEREFORE, the petition is DISMISSED. The Court of Appeals Decision dated December 16, 1999 and its Resolution dated March 21, 2000 in CA-G.R. CV No. 31587 is AFFIRMED.

SO ORDERED.

The Court sustained the CA's affirmance of the RTC Decision dated March 9, 1990, which ordered the reconveyance of the property to respondents. Nevertheless, the Court found that the portion sold by Placida Tabada-Lambo to respondents under the 1968 Deed of Sale of Real Property should pertain only to 4,000 square meters and not 4,300 square meters, inasmuch as what Placida sold under said 1968 Deed of Sale can only affect her ¼ share in the 16-hectare co-owned property.[1]

Petitioners filed the present "Motion for Reconsideration and/or Modification of the Dispositive Portion of the Decision to Conform with the Findings of the Honorable Court as to the Area to be Reconveyed," asking the Court that the Decision dated October 11, 2005 be modified so that the area to be reconveyed (4,000 square meters) by petitioners to respondents should be included in the dispositive portion of the Decision.

WHEREFORE, the "Motion for Reconsideration and/or Modification of the Dispositive Portion of the Decision to Conform with the Findings of the Honorable Court as to the Area to be Reconveyed" is GRANTED. The Court's Decision October 11, 2005 is MODIFIED, as follows:

WHEREFORE, the petition is DISMISSED. The Court of Appeals Decision dated December 16, 1999 together with its Resolution dated March 31, 2000 in CA-G.R. CV No. 31587 is AFFIRMED, with the MODIFICATION that the area covered by the 1968 Deed of Sale of Real Property should pertain only to 4,000 square meters.

SO ORDERED.

Puno, (Chairperson), Callejo, Sr., Tinga and Chico-Nazario, JJ., concur.

[1]Decision, p. 11.

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