

SPS. ROGELIO & CONCHITA JALIQUE, REPRESENTED BY THEIR ATTORNEY-IN-FACT, ROGELIO JALIQUE, JR., PETITIONERS, VS. SPS. EPIFANIO & JULIETA DANDAN, SPS. RODOLFO & BABY DESTURA, SPS. ...

G.R. No. 148305. November 28, 2003

Ponente: QUISUMBING, J.

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QUISUMBING, J.:

For review on certiorari is the Decision,[1] dated December 27, 2000, of the Court of Appeals in CA-G.R. SP No. 49978, annulling the Decision,[2] dated November 23, 1998, of the Regional Trial Court (RTC) of Pasig City, Branch 70, in SCA Case No. 1527. The RTC had affirmed in toto the Decision[3] of the Metropolitan Trial Court (MeTC) of Pasig City, Branch 70, in Civil Case No. 6303, an unlawful detainer case. The MeTC had rendered a judgment in favor of petitioners for respondents' failure to file an Answer. The Court of Appeals ordered the remand of the case to the MeTC for a trial on the merits. Petitioners also assail the appellate court's Resolution,[4] dated May 22, 2001, denying their motion for reconsideration.

The facts, as culled from records, are as follows:

On August 13, 1997, the spouses Rogelio and Conchita Jalique, represented by their attorney-in-fact Rogelio S. Jalique, Jr., filed a Complaint for unlawful detainer against respondents before the MeTC of Pasig City, docketed as Civil Case No. 6303. The Jaliques alleged that they are the registered owners of a 1655 sq. meter lot and its improvements situated at Palatiw, Pasig City and covered by TCT No. PT-93442. The respondents herein are the tenants or lessees of a portion of said property, having been in possession of the same for quite some time, pursuant to month-to-month verbal agreements. Petitioners averred that the respondents had arrogantly refused their offer to formalize their lease agreement. The petitioners had sought the intercession of the Lupong Tagapamayapa, but to no avail, thus giving them no choice but to terminate the lease agreement with the respondents. The latter, however, remained in possession and refused to vacate despite demands made by the petitioners.

Respondents did not file an Answer to the complaint, but filed a Joint Counter Affidavit[5] on September 12, 1997, stating that: (a) petitioners were not the owners of the disputed property; (b) some of them were not residing or occupying any portion of said land; (c) petitioners should pay some of them for the improvements made on the realty in question; and (d) petitioners had no right to oust respondents as they had been paying the rentals, albeit without the corresponding receipts from petitioners.

On September 25, 1997, petitioners filed a Motion for Judgment on the Complaint.

On October 31, 1997, the MeTC decided Civil Case No. 6303 as follows:

IN VIEW OF ALL THE ABOVE, judgment is hereby rendered in favor of the plaintiffs and against the defendants, ordering the latter and all persons claiming rights under them or acting in their authority, to:

1) immediately vacate their respective portions of the premises in question and turn over peaceful possession thereof to plaintiffs;

2) pay the plaintiffs the following amounts:

(a) unpaid rentals in arrears and/or for actual use of the premises in question, to be reckoned from October 13, 1997 in the amount of P1,000.00 for each defendant, computed monthly, until the premises is actually vacated and turned over to plaintiffs;

(b) P15,000.00 as and by way of attorney's fees; and

(c) costs of suit.

SO ORDERED.[6]

The MeTC found that the respondents herein had failed to file their Answer and rendered judgment on the Complaint, pursuant to Section 6[7] of the Revised Rule on Summary Procedure. In other words, the petitioners had preponderantly established their cause of action, while the respondents, given their failure to file an Answer, had failed to present any evidence to the contrary.

Respondents appealed to the RTC of Pasig City. The appeal, docketed as SCA Case No. 1527, raised new issues such as the absence of proof on the petitioners' capacity as lessor and the classification of the subject land for residential purposes.

On November 23, 1998, the RTC rendered judgment in SCA Case No. 1527 in this wise:

WHEREFORE, finding no reversible error, the appealed decision is hereby AFFIRMED in toto.

SO ORDERED.[8]

In affirming the MeTC decision lock, stock, and barrel, the RTC ruled that petitioners had preponderantly established their cause of action as respondents failed to file their Answer.

Respondents then elevated the matter to the Court of Appeals in CA-G.R. SP No. 49978 on the following grounds:

- The Public Respondents committed reversible error in not considering that the Private Respondents are not the proper party in this case, are not the owners or lessors of the land occupied by the Petitioners.[9]
- The Public Respondents committed reversible error in treating this case ordinary (sic) Unlawful Detainer Case considering that the Petitioners have practically become the co-owners of the property they are occupying.[10]

The Court of Appeals annulled the RTC decision and decreed that the case be remanded to the MeTC for hearing on the merits, thus:

WHEREFORE, premises considered, the decision dated October 31, 1997 of the MeTC and the decision dated November 23, 1998 of the RTC is hereby ANNULLED AND SET ASIDE, and this case is remanded to the MeTC so that the same may be heard on the merits and with immediate dispatch. No costs.

SO ORDERED.[11]

The appellate court held that both the MeTC and the RTC erred in ignoring respondents' Joint Counter Affidavit filed within the 10-day reglementary period to file an Answer under Section 5[12] of the 1991 Revised Rule on Summary Procedure. The appellate court pointed out that while the Joint Counter Affidavit was poorly crafted, nevertheless, it should have been considered as petitioners' Answer as it sets forth petitioners' defenses and raises issues and counterclaims, which should be considered if justice is to be served. Otherwise put, both the MeTC and

RTC erred in giving premium to matters of form.

Petitioners then moved for reconsideration, but the appellate court denied the motion.

Hence, this petition submitting for our resolution, the sole issue of:

WHETHER OR NOT THE HONORABLE COURT OF APPEALS ERRED IN ANNULING AND SETTING ASIDE THE DECISIONS OF THE METROPOLITAN TRIAL COURT AND THE REGIONAL TRIAL COURT AND ORDERING THAT THIS CASE BE REMANDED TO THE MeTC FOR HEARING ON THE MERITS.[13]

Petitioners contend that the court a quo erred in reversing and annulling the RTC decision, for in affirming the MeTC, the RTC was merely applying the pertinent provisions of the 1991 Revised Rule on Summary Procedure. The rules on Summary Procedure were promulgated to achieve an expeditious and inexpensive determination of cases especially in unlawful detainer cases because they involve possession of property posing a threat to the peace of our society. Thus, a remand of the case to the MeTC, as decreed by the appellate court, would prejudice them and run contrary to the summary nature of the proceeding.

The respondents counter that the remand of the case is not prejudicial to the petitioners, as it will give them all the chances to prove their cause of action against respondents. It would likewise allow respondents to enjoy their right to be heard in their defense.

We find that the situation obtaining in this case calls for a liberal, not a technical and rigid, interpretation of the rules on Summary Procedure in the light of the presence rather than a total absence of a responsive pleading. Our perusal of the respondents' Joint Counter Affidavit shows that it disputed the material allegations of the Complaint and presented valid issues for the lower court's resolution, such as the ownership of the subject lot, the period of lease, right of reimbursement for improvements and the right to eject respondents. As correctly observed by the Court of Appeals:

A perusal of the Joint Counter Affidavit will reveal that although the same is unsatisfactorily crafted, it sets forth the petitioners' defenses. It also raises issues and counterclaims which require proper consideration if justice is to be served, i.e., petitioners' claim on the improvements made upon the thing leased; if the requisites of Article 1678 of the New Civil Code are complied with, the lessees (herein petitioners) will have the right to reimbursement or if payment is refused by the lessor, the right of removal. Thus, the requirements of the Rules that the Answer shall set forth the defenses and the objections of the defendants including the compulsory counterclaim or cross-claim (Section 4, Rule 6; Sections 1 and 2, Rule 9 of the 1997 Rules of Civil Procedure) specifically denying the material allegation of fact the truth of which he does not admit (Section 10, Rule 8, 1997 Rules of Civil Procedure) were substantially complied with by the counter affidavit filed by the petitioners on time. This counter affidavit should have been considered as petitioners' Answer without giving premium on matters of form thereby serving the interest of substantial justice....[14]

The Court of Appeals, thus, committed no reversible error in reversing the RTC and ordering the remand of the case to the MeTC. Not all lawyers are gifted with the skill to craft pleadings that fully meet the requirements as to substance and form. But what matters is the substance and not the form. Thus, while a pleading may be deficient in craftsmanship and can be criticized with respect to incidental particulars, it must be deemed sufficient if it fairly apprises the adverse party of the claims or contentions therein stated and does not mislead him to his surprise or injury or when from the allegations therein, taken together, the matters required to be averred may be gathered. In the words of Chief Justice Moran, "Rules of pleadings are intended to secure a method by which the issues may be properly laid before the court. When those issues are already clear before the court, the deficiency in the observance of the rules should not be given undue importance. What is important is that the case be decided upon the merits and that it should not be allowed to go off on procedural points." [15]

WHEREFORE, the petition is DENIED and the assailed Decision of the Court of Appeals in CA-G.R. SP. No. 49978 is AFFIRMED. No pronouncement as to costs.

SO ORDERED.

Puno, (Chairman), Austria-Martinez, Callejo, Sr., and Tinga, JJ., concur.

[1] Penned by Associate Justice Bennie A. Adefuin-De la Cruz, with Presiding Justice Salome A. Montoya and Associate Justice Renato C. Dacudao, concurring. Rollo, pp. 61-65.

[2] Rollo, pp. 76-79.

[3] Id. at 72-75.

[4] Per Associate Justice Bennie A. Adefuin-De la Cruz, with Associate Justices Eloy R. Bello, Jr., and Renato C. Dacudao concurring. Id. at 70-71.

[5] CA Rollo, pp. 106-111.

[6] Rollo, p. 75.

[7] SEC. 6. Effect of failure to answer. - Should the defendant fail to answer the complaint within the period above provided, the court, motu proprio, or on motion of the plaintiff, shall render judgment as may be warranted by the facts alleged in the complaint and limited to what is prayed for therein: Provided, however, that the court may in its discretion reduce the amount of damages and attorney's fees claimed for being excessive or otherwise unconscionable. This is without prejudice to the applicability of Section 4, Rule 18 of the Rules of Court, if there are two or more defendants.

[8] Rollo, p. 79.

[9] CA Rollo, pp. 7-8.

[10] Id. at 9.

[11] Rollo, p. 65.

[12] SEC. 5. Answer. - Within ten (10) days from service of summons, the defendant shall file his answer to the complaint and serve a copy thereof on the plaintiff. Affirmative and negative defenses not pleaded therein shall be deemed waived, except for lack of jurisdiction over the subject matter. Cross-claims and compulsory counterclaims not asserted in the answer shall be considered barred. The answer to counterclaims or cross-claims shall be filed and served within ten (10) days from service of the answer in which they are pleaded.

[13] Rollo, p. 156.

[14] Id. at 64.

[15] Supio v. Garde, 150-A Phil. 817, 827 (1972).

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