

**ANGEL PAGTALUNAN, REP. BY ZENaida PAGTALUNAN,
PETITIONER, VS. RICARDO MANLAPIG, REP. BY MIGUELA VICENTE,
AND HON. COURT OF APPEALS, RESPONDENTS.**

G.R. NO. 155738. August 09, 2005

Ponente: AZCUNA, J.

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AZCUNA, J.:

This is a petition for review on certiorari under Rule 45 of the Rules of Court against a Resolution of the Court of Appeals involving a decision of the Department of Agriculture and Adjudication Board (DARAB).

The subject landholding is located at Barangay Calumpang, Calumpit, Bulacan, with an area of 2,500 square meters.

The decision of the DARAB was to accord possession of the property to therein plaintiff-landowner Ricardo Manlapig on the ground of non-payment of lease rental by therein defendant Angel Pagtalunan.[1]

Petitioner herein is Zenaida Pagtalunan and she is suing as heir of the defendant in the DARAB. She filed in the Court of Appeals a petition for review under Rule 43 of the 1997 Rules of Civil Procedure.

The Court of Appeals, in a Resolution dated April 22, 2002, entitled "Heirs of Angel Pagtalunan v. Department of Agrarian Reform Adjudication Board, et al.," dismissed the petition on the ground that the Verification and Certification of Non-Forum Shopping was signed by only one of the petitioners and there was nothing in the records that would show that Ms. Zenaida Pagtalunan was authorized to sign for and in behalf of her co-petitioners.[2] Said court denied the motion for reconsideration by Resolution dated October 15, 2002.[3]

This Court finds no reversible error on the part of the Court of Appeals. Time and again, this Court has strictly enforced the requirement of verification and certification of non-forum shopping under Section 5, Rule 7 of the Rules. Where there are two or more petitioners, a petition signed by only one of them is defective, unless he was authorized by his co-parties to represent them and to sign the certification. The attestation contained in the certification on non-forum shopping requires personal knowledge by the party who executed the same. [4]

Furthermore, the issues involved are factual in nature, namely, whether or not there was substantial evidence that Angel Pagtalunan failed to pay the lease rentals.[5] It is settled that factual findings of administrative agencies are generally accorded respect by the courts.[6] This Court, in any event, is not the proper forum for resolving such factual issues.

WHEREFORE, the petition is DENIED. No costs.

SO ORDERED.

Davide, Jr., C.J., (Chairman), Quisumbing, Ynares-Santiago, and Carpio, JJ., concur.

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- [1] See, Decision of DARAB, dated January 3, 2001, Rollo, pp. 49-59.
- [2] See, CA Resolution dated April 22, 2002, Rollo, pp. 83-84. Penned by Justice Andres B. Reyes, Jr., and concurred in by Justices Conrado M. Vasquez, Jr. and Mario L. Guariña III.
- [3] Rollo, p. 89.
- [4] Philippine Valve Manufacturing Company v. NLRC, G.R. No. 152304, November 12, 2004, 442 SCRA 383; Loquias v. Office of the Ombudsman, G.R. No. 139396, August 15, 2000, 338 SCRA 62.
- [5] See, Petition for Review on Certiorari, filed in the Court of Appeals, Rollo, pp. 69-82.
- [6] Sebastian v. Morales, G.R. No. 141116, February 17, 2003, 397 SCRA 549; Padunan v. Department of Agrarian Reform Adjudication Board, G.R. No. 132163, January 28, 2003, 396 SCRA 196.

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