JUANITO A. GARCIA AND ALBERTO J. DUMAGO, PETITIONERS, VS. PHILIPPINE AIRLINES, INC., RESPONDENT.

G.R. NO. 160798. June 08, 2005

Ponente: CALLEJO, SR., J.

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CALLEJO, SR., J.:

This is a petition for review of the Resolution[1] of the Court of Appeals (CA) in CA-G.R. SP No. 59826, dismissing the petition for certiorari of the petitioners Juanito A. Garcia and Alberto J. Dumago, as well as the Resolution[2] denying the motion for reconsideration thereof.

The petition at bench stemmed from the following backdrop:

Garcia was employed by the Philippine Airlines, Inc. (PAL) on December 3, 1973. By 1995, he was already an inspector at the Aircraft Inspection Division of the PAL Technical Center. Dumago, on the other hand, was employed by PAL on April 18, 1983, and was, by 1995, a Lead Master "C" Upholsterer assigned at the Aircraft Furnishing Safety Section of the Maintenance and Engineering Department.[3]

At 1:30 p.m. on July 24, 1995, the petitioners were at the PAL Technical Center inside the Toolroom Section of the Plant Equipment and Maintenance Division (PEMD). With them were their co-employees Ronaldo Broas, Roberto Buan, Almario Titco and Rodrigo Arcenas, Jr.[4] Momentarily, an incident ensued, thereafter to be the subject of different versions: that of the petitioners; Carmelo Villacete, then manager of the PAL Security and Investigation Division; and Field Agents Antonio P. Ramos and Ramoncito Villar, also of the PAL Security and Investigation Division. Rodrigo Arcenas, Jr. also gave his own version of the incident.

According to Villacete, Ramos and Villar, they barged into the Toolroom Section and caught the petitioners with Broas, Arcenas, Buan, and Titco sniffing shabu. The security officers found and seized from them several grams of the prohibited drug, including aluminum foil, a burner and lighter. The security officers then searched the locker of Broas and found more of the drug, and shabu paraphernalia, including P23,000.00 in cash. All this was witnessed by Jose S. Herrera and Remebito F. Gorospe, representatives of the Philippine Airlines Employee's Association (PALEA). Eliseo Maravillas of the Office of the Vice-President for Maintenance and Engineering also witnessed the search and seizure.[5] Photographs were taken of the raid. Ramos made an inventory of the items and substances that were found and seized from Rack B747-400 at the PEMD Toolroom, as follows:

- (one) 1 plastic sachet containing undetermined amount of white substance suspected as shabu
- (four) 4 aluminum foils containing U.A.S. suspected to be shabu
- (one) 1 aluminum foil strip (containing) with residue of substance suspected to be shabu
- (one) 1 improvised tooter with residue susp. to be shabu
- (one) 1 plastic sachet containing residue of susp. shabu
- (one) 1 strip (aluminum) containing granules + white substances susp. to be shabu

- (one) 1 PAL giveaway kit containing one plastic tube

- (one) 1 improvised burner with extra needle

- (four) 4 pcs. crumpled aluminum foils with residue susp. to be shabu

- (five) 5 pcs. aluminum strips

- (six) 6 pcs. aluminum foil

- (one) 1 plastic sachet containing undetermined quantity of white substance susp. to be shabu placed inside improvised metal container

- (two) 2 plastic sachets cont. residue of white substances susp. to be shabu

- (one) 1 lighter (disposable)

- (seventeen) 17 aluminum strips with residue of substances susp. to be shabu

- (two) 2 strips of aluminum foils.[6]

Ramos also prepared an inventory of the items found and seized in Broas' locker, to wit:

ITEM (QUANTITY) DESCRIPTION

1. (one) 1 Plastic sachet containing undetermined amount of white substance suspected as shabu contained in a blue cloth with a letter.

2. (one) 1 Plastic sachet containing undetermined amount of white substance suspected as shabu.[7]

The security officers secured urine samples from the petitioners and Arcenas, Broas and Titco, which they turned to the Forensic and Chemistry Division of the National Bureau of Investigation (NBI). The company, through Luis T. Castro, Jr., turned over/submitted to the NBI the paraphernalia found in the locker of Broas.[8] The men were, likewise, turned over to the NBI for investigation.[9] The security officers also prepared and signed Security Report No. SFPSD95/07-453 dated July 25, 1995.

Forensic Chemist Salud M. Rosales signed Dangerous Drugs Report No. DD-95-1554 stating that the samples gave positive results for methamphetamine hydrochloride.[10] She also signed Toxicology Report Nos. TDD-95-759 and 95-760 indicating that the urine samples given by the petitioners tested positive for amphetamine, a metabolite of methamphetamine which is a regulated drug.[11] Rosales also signed Toxicology Report No. TDD-95-757[12] where she stated that the urine sample of Rodrigo Arcenas yielded negative result for the presence of amphetamine.

In the signed statement[13] he gave to Villacete on July 25, 1995, Arcenas alleged that he was on duty at the Toolroom Section of the PEMD that fateful day of July 24, 1995. At about 1:30 p.m., he saw the petitioners with Titco and Buan playing cards. Broas, who was beside the B747-400 tool bin, then took a white substance from a small cellophane sachet, placed the substance in a foil and lighted it with a small burner. The other men then approached Broas as the latter sniffed the substance twice and passed it around to the others who did the same. Arcenas claimed that he did not sniff the white substance. Momentarily, three persons barged into the toolroom and the men tried to escape. Additional security then arrived and helped in the inventory of the substances and materials found and seized from the men.[14]

Petitioners Garcia and Dumago, for their part, admitted that they were in the toolroom section of PEMD on the day in question. Garcia had wanted to ask someone where he could take the Tracster's wheel for vulcanizing,

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while Dumago went there to request for an "Allen Wrench" from Titco. Suddenly, a PAL security officer armed with a handgun barged into the toolroom. He was accompanied by a video cameraman. Buan, Broas, and Titco were then each subjected to a body search and were forced to give urine specimen. Their lockers were also searched.[15]

The petitioners denied that they used the prohibited drug, alleging that the door to the toolroom was even open. They claimed that they were in the toolroom because they were on duty, and that the NBI agents only arrived at the scene after the security guards had already confiscated the items and paraphernalia allegedly found in the toolroom and in Broas' locker.[16]

A criminal complaint against the petitioners, including Buan, Broas and Titco, for violation of Section 16 of Republic Act No. 6425, as amended by Rep. Act No. 7659 was then filed with the Department of Justice, docketed as I.S. No. 95-492. Arcenas was not included in the charge.[17]

On July 26, 1995, the petitioners were charged with violation of Section 6, Article 46, and Section 6, Article 48 of Chapter II of the PAL Revised Code of Discipline, as follows:

> - Violation of Law/Government Regulations-Chapter II, Section 6, Article 46
> "Any employee who by substantial evidence presented at an administrative hearing is found to have violated or attempted to violate existing laws, decrees, regulations, or orders issued by the Philippine or other governments, and their agencies and instrumentalities, which violation involves moral turpitude is work-related, or which involves the safety, welfare, reputation, or standing of the company in the community, shall be penalized as prescribed in the schedule of penalties under Article 14 of this Code, depending upon the gravity and/or frequency of the offense. Where such violation constitutes serious misconduct or breach of trust, the penalty of dismissal shall be imposed."

- Prohibited Drugs-Chapter II, Section 6, Article 48

> "Any employee who, while on Company premises or on duty, is found in the possession of, or uses, or is under the influence of prohibited or controlled drugs, or hallucinogenic substances or narcotics shall suffer the penalty of dismissal."[18]

A formal investigation ensued during which Arcenas testified. On October 9, 1995, the Grievance Committee rendered a Decision[19] finding petitioners Garcia and Dumago guilty as charged; both of them were meted the penalty of dismissal.

On October 30, 1997, the petitioners instituted separate complaints[20] for illegal dismissal against private respondent PAL and its Vice-President for Maintenance and Engineering, Jacinto F. Ortega, Jr.[21] In its reply to the position paper of the complainants, PAL declared that:

> (a) Complainants were caught by PAL personnel in flagrante delicto in the act of sniffing shabu. This is attested to by the Joint Affidavit of Messrs. Carmelo Villacete, Antonio Ramos and Ramoncito Villar, the security personnel who caught them in the act.
>
> (b) An eyewitness, in the person of Rodrigo Arcenas, [Jr.] confirmed that the complainants (together with three other employees) indeed sniffed shabu inside the Toolroom of the Plant Equipment [and] Maintenance Division.
>
> (c) The National Bureau of Investigation confirmed that the white crystalline substance found in the possession of the apprehended employees was "Methamphetamine Hydrochloride" or shabu, in ordinary parlance.
>
> (d) Drug test conducted by the National Bureau of Investigation revealed that the complainants were positive for "AMPHETAMINE."[22]

On February 11, 1999, Labor Arbiter Ramon Valentin C. Reyes rendered a Decision, finding that the private respondent was guilty of illegal dismissal, thus:

> WHEREFORE, conformably with the foregoing, judgment is hereby rendered finding the respondents guilty of illegal suspension and illegal dismissal and ordering them to reinstate complainants to their former position without loss of seniority rights and other privileges. Respondents are hereby further ordered to pay jointly and severally unto the complainants the following:
>
> Alberto J. Dumago -P409,500.00 backwages as of 1/10/99 P34,125.00 for 13th month pay
>
> Juanito A. Garcia - P1,290,744.00 backwages as of 1/10/99 P107,562.00 for 13th month pay
>
> The amounts of P100,000.00 and P50,000.00 to each complainant as and by way of moral and exemplary damages; and
>
> The sum equivalent to ten percent (10%) of the total award as and for attorney's fees.
>
> Respondents are directed to immediately comply with the reinstatement aspect of this Decision. However, in the event that reinstatement is no longer feasible, respondents are hereby ordered, in lieu thereof, to pay unto the complainants their separation pay computed at one month for every year of service.
>
> SO ORDERED.[23]

The Labor Arbiter ruled that the NBI Toxicology Report on the urine samples of the complainants were not admissible in evidence. And even if they were, being positive for amphetamine does not constitute as a violation of the law.[24] The private respondent appealed the decision.

On January 31, 2000, the National Labor Relations Commission (NLRC) reversed the decision of the Labor Arbiter and dismissed the case for lack of merit.[25] The NLRC ruled that the joint affidavit of the three PAL security personnel, the joint affidavit of the four NBI Narcotics Division personnel, the sworn statement of Arcenas, and the NBI toxicology reports constituted substantial evidence that the petitioners had, indeed, used shabu within the private respondent's premises during working hours. It held that the acts of the petitioners amounted to serious misconduct that justified their dismissal from employment. The petitioners moved for a reconsideration of the decision, on the ground that the urine samples were obtained from them without the assistance of counsel; hence the said samples and the Toxicology Report of the NBI Field Agents Division were inadmissible in evidence.[26] The NLRC denied the said motion for lack of merit.[27]

Dissatisfied, the petitioners filed a petition for certiorari with the CA based on the following grounds:

> 6.1 The public respondent NLRC erred and committed grave abuse of discretion amounting to lack of jurisdiction in:
> (a) Reversing the decision of the labor arbiter;
> (b) Concluding that the petitioners were caught sniffing shabu;
> (c) Disregarding the petitioners' Constitutional rights to counsel and due process of law.

6.2 The contradictory findings and conclusions of the labor arbiter and the NLRC provide strong and compelling reasons to warrant judicial review of the instant case to prevent a miscarriage of justice.

6.3 There is no appeal or any other plain, speedy and adequate remedy in the ordinary course of law.[28]

On August 10, 2000, the CA dismissed the petition for failure to append copies of the material documents referred to therein, such as (a) the petitioners' complaint for illegal dismissal and damages; (b) the private respondent's position paper filed with the Labor Arbiter; and (c) the Labor Arbiter's Order dated June 16, 1998 submitting the case for resolution.[29] The petitioners received a copy of the resolution on August 21, 2000 and filed on August

29, 2000 a motion for its reconsideration, appending the pleadings and the order adverted to in the CA resolution.[30]

On November 5, 2003, the CA denied the petitioners' motion for reconsideration for lack of merit, on the ground that the said motion did not contain an affidavit of proof of service under Section 13 of Rule 13 of the Rules of Court. The appellate court also held that the petitioners failed to give a valid justification for their failure to comply with the rules.[31]

The petitioners received a copy of the said resolution, and forthwith filed the instant petition for review on certiorari, where they raise the following issues:

> - Whether or not the Honorable Court of Appeals decided CA-G.R. SP No. 59826 in a way not in accord with the law or the decisions of this Honorable Supreme Court, and the Constitutional mandate of protection to labor, when it dismissed the Petition for Certiorari on purely technical grounds (i.e., failure to append 3 documents), and denied the petitioners' motion for reconsideration, despite the fact that the petitioners already submitted the documents in their motion for reconsideration.
>
> - Whether or not the Honorable Court of Appeals departed from the accepted and usual course of judicial proceedings in deciding CA-G.R. SP No. 59826, by not resolving the case on the merits despite the conflicting findings and conclusions of the Labor Arbiter and the NLRC.[32]

The petitioners argue that their failure to append the three documents to their petition was not fatal because they had substantially complied with all the formal requirements under Section 1, Rule 65 of the Rules of Court, in relation to Section 3 of Rule 46. They aver that they submitted certified true copies of the decision and the resolution subject of the petition, copies of relevant pleadings, as well as the documents necessary for a complete understanding of the issues raised, and a certificate of non-forum shopping.[33] They posit that should the CA disagree on what they had considered relevant to their petition, the petition should not have been dismissed outright; instead, the CA should have required them to submit the requisite documents.[34]

The petitioners stress that the dismissal of the petition on a purely technical ground is inconsistent with the constitutional mandate on protection to labor. They maintain that in denying their motion for reconsideration, the CA acted harshly and in complete disregard of the law's tenderness for the plight of labor. The petitioners point out that even this Court has been lenient in more serious cases of non-observance of procedural rules, such as the failure to perfect an appeal within the reglementary period.[35]

The petitioners further posit that judicial review is warranted in this case since the findings of the Labor Arbiter were reversed by the NLRC; hence, the CA should have resolved the petition for certiorari on its merits. They contend that the evidence shows that no drugs were found in their possession and that as such, their dismissal could not have been based on a valid cause. They claim that the NLRC erred in giving credence to the joint affidavit of the private respondent's security personnel and the sworn statement of Arcenas.[36]

For its part, the private respondent avers that the CA did not err in dismissing the petition for the petitioners' failure to append the required pleadings and order. It asserts that the petitioners even failed to give a justification for their failure to comply with the Rules of Court. The private respondent further points out that the petitioners failed to append an affidavit of proof of service under Section 13, Rule 13 of the Rules of Court to their motion for reconsideration of the August 10, 2000 Resolution of the CA, and even failed to give a valid justification for such failure. Thus, the private respondent avers, the ruling of the CA is in accord with the Rules of Court.

The petition is meritorious.

The CA erred in dismissing the petition on the ground that the petitioner failed to comply with the last paragraph

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of Section 1 of Rule 65 of the Rules of Court, which provides:

> SECTION 1. Petition for certiorari. – When any tribunal, board or officer exercising judicial or quasi-judicial functions has acted without or in excess of its or his jurisdiction, or with grave abuse of discretion amounting to lack or excess of jurisdiction, and there is no appeal, or any plain, speedy, and adequate remedy in the ordinary course of law, a person aggrieved thereby may file a verified petition in the proper court, alleging the facts with certainty and praying that judgment be rendered annulling or modifying the proceedings of such tribunal, board or officer, and granting such incidental reliefs as law and justice may require.
>
> The petition shall be accompanied by a certified true copy of the judgment, order or resolution subject thereof, copies of all pleadings and documents relevant and pertinent thereto, and a sworn certification of non-forum shopping as provided in the third paragraph of Section 3, Rule 46.

The provision mandates that the following documents should be appended to the petition: a certified copy of the judgment, order or resolution subject of the petition; copies of all pleadings and documents relevant and pertinent thereto; and a sworn statement of non-forum shopping as provided in the third paragraph of Section 3, Rule 46, which reads:

> SEC. 3. Contents and filing of petition, effect of non-compliance with requirements. –
>
> ...
>
> The petitioner shall also submit together with the petition a sworn certification that he has not theretofore commenced any other action involving the same issues in the Supreme Court, the Court of Appeals or different divisions thereof, or any other tribunal or agency; if there is such other action or proceeding, he must state the status of the same; and if he should thereafter learn that a similar action or proceeding has been filed or is pending before the Supreme Court, the Court of Appeals, or different divisions thereof, or any other tribunal or agency, he undertakes to promptly inform the aforesaid courts and other tribunal or agency thereof within five (5) days therefrom.
>
> ...

It is evident, therefore, that aside from the assailed decision, order or resolution, not every pleading or document mentioned in the petition is required to be submitted – only those that are pertinent and relevant to the judgment, order or resolution subject of the petition. The initial determination of what pleadings, documents or orders are relevant and pertinent to the petition rests on the petitioner. If, upon its initial review of the petition, the CA is of the view that additional pleadings, documents or order should have been submitted and appended to the petition, the following are its options: (a) dismiss the petition under the last paragraph of Rule 46 of the Rules of Court; (b) order the petitioner to submit the required additional pleadings, documents, or order within a specific period of time; or (c) order the petitioner to file an amended petition appending thereto the required pleadings, documents or order within a fixed period.

If the CA opts to dismiss the petition outright and the petitioner files a motion for the reconsideration of such dismissal, appending thereto the requisite pleadings, documents or order/resolution with an explanation for the failure to append the required documents to the original petition, this would constitute substantial compliance with the Rules of Court. In such case, then, the petition should be reinstated. As this Court emphasized in Cusi-Hernandez v. Diaz:[37]

> Under the circumstances, we hold that there was substantial compliance with Section 2, Rule 42 of the Rules of Court. In dismissing the Petition before it, the appellate court clearly put a premium on technicalities at the expense of a just resolution of the case.
>
> We must stress 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." Moreover, the Court has held:
> "Dismissal of appeals purely on technical grounds is frowned upon and the rules of procedure ought not to be applied in a very rigid, technical sense, for they are adopted to help secure, not override, substantial justice, and thereby defeat their very aims."

Rules of procedure are mere tools designed to expedite the decision or resolution of cases and other matters pending in court. A strict and rigid application of rules that would result in technicalities that tend to frustrate rather than promote substantial justice must be avoided.[38]

In this case, the petitioners filed a motion for the reconsideration of the August 10, 2000 CA Resolution, and appended thereto the required pleadings and order; they likewise explained that they failed to append the same to their original petition because they believed that the said pleadings and order did not affect the substance of the petition filed before the CA. Indeed, there is merit in their contention because the substance of their complaint with the Labor Arbiter, as well as that of the private respondent's position paper, were already embodied in the decisions of the Labor Arbiter and the NLRC, certified copies of which were appended to the original petition. The petitioners thus believed in good faith that the pleadings and order required by the CA were no longer necessary.

It would be more in accord with substantial justice and equity to overlook the procedural lapse, and allow the petition to be resolved on its merits. It is well-settled that the application of technical rules of procedure may be relaxed to serve the demands of substantial justice, particularly in labor cases.[39] Labor cases must be decided according to justice and equity and the substantial merits of the controversy.[40] As the Court stressed in a recent case:[41]

> The policy of our judicial system is to encourage full adjudication of the merits of an appeal. In the exercise of its equity jurisdiction, this Court may reverse the dismissal of appeals that are grounded merely on technicalities. Moreover, procedural niceties should be avoided in labor cases in which the provisions of the Rules of Court are applied only in suppletory manner. Indeed, rules of procedure may be relaxed to relieve a part of an injustice not commensurate with the degree of noncompliance with the process required.[42]

The Court thus holds that the petitioners deserve to be heard on their petition for certiorari, considering the conflicting findings and conclusions of the Labor Arbiter and the NLRC based on their calibration of the evidence on record. Moreover, the petitioners' plea that urine samples were extracted from them without the assistance of counsel and that the Toxicology Reports of the NBI Forensic and Chemistry Division are inadmissible in evidence must also be considered. The joint affidavits of Villacete, Ramos, Villar and Arcenas that the petitioners were caught sniffing methamphetamine hydrochloride are contradicted by the NBI's Toxicology Reports that the urine samples provided by the petitioners were found positive for amphetamine. There is thus a need for the CA to resolve the issues of whether amphetamine is indeed a metabolite of methamphetamine and whether the possession and use of such substance is a violation of the law.

We note that the petitioners indeed failed to append to their motion for reconsideration in the CA the affidavit required by Rule 13, Section 13 of the Rules of Court, to wit:

SEC. 13. Proof of service. – Proof of personal service shall consist of a written admission of the party served, or the official return of the server, or the affidavit of the party serving, containing a full statement of the date, place and manner of service. If the service is by ordinary mail, proof thereof shall consist of an affidavit of the person mailing of facts showing compliance with Section 7 of this Rule. If service is made by registered mail, proof shall be made by such affidavit and the registry receipt issued by the mailing office. The registry return card shall be filed immediately upon its receipt by the sender, or in lieu thereof the unclaimed letter together with the certified

or sworn copy of the notice given by the postmaster to the addressee.

Nonetheless, in the interest of substantial justice, taking into account the fact that this is a labor case, the Court opts to overlook the procedural lapse of the petitioners, conformably with the ruling of the Court in ABD Overseas Manpower Corporation v. NLRC:[43]

> Under the Rules of Court which were then in effect and applicable to the case at bar, when MARS failed to file an answer to petitioner's cross-claim, it should have been declared in default with respect to such claim. In labor cases, however, technical rules of procedure are not applicable, but may apply only by analogy or in a suppletory character, for instance, when there is a need to attain substantial justice and an expeditious, practical and convenient solution to a labor problem. Hence, when the POEA opted to overlook petitioner's cross-claim against MARS, petitioner was denied substantial justice.[44]

Indeed, technicalities should not be permitted to stand in the way of equitably and completely resolving the rights and obligations of the parties. The Court reiterates that where the ends of substantial justice would be better served, the application of technical rules of procedure may be relaxed.[45]

WHEREFORE, the Resolutions of the Court of Appeals dated August 10, 2000 and November 5, 2003 are SET ASIDE. The records of the case are REMANDED to the Court of Appeals for further proceedings. The appellate court is DIRECTED to REINSTATE CA-G.R. SP No. 59826 in its docket and to require private respondent Philippine Airlines, Inc. to file its Comment on the petition for certiorari. No costs.

SO ORDERED.

Austria-Martinez, (Acting Chairman), Tinga, and Chico-Nazario, JJ., concur.
Puno, (Chairman), J., on official leave.

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[1] Penned by Associate Justice Mariano M. Umali (retired), with Associate Justices Conrado M. Vasquez, Jr. and Eriberto U. Rosario, Jr., (retired), concurring; Rollo, pp. 46-47.

[2] Penned by Associate Justice Conrado M. Vasquez, Jr., with Associate Justices Bienvenido L. Reyes and Arsenio J. Magpale, concurring; Id. at 49-50.

[3] Rollo, p. 76.

[4] Id. at 77.

[5] Rollo, p. 217.

[6] Id. at 101.

[7] Rollo, p. 102.

[8] Id. at 103.

[9] Id. at 217.

[10] Id. at 63.

[11] Id. at 65-66.

[12] Id. at 70.

[13] Rollo, p. 219.

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[14] Id. at 219-220.

[15] Id. at 90-91; 95-96.

[16] Supra.

[17] Id. at 94.

[18] Id.

[19] Rollo, pp. 73-74.

[20] Id. at 51-52.

[21] Id.

[22] Id. at 116-117.

[23] Rollo, p. 144.

[24] Id. at 142.

[25] Id. at 166-178.

[26] Rollo, pp. 179-187.

[27] Id. at 189-190.

[28] Id. at 199-200.

[29] Id. at 46-47.

[30] Id. at 210-220.

[31] Rollo, pp. 49-50.

[32] Id. at 26.

[33] Id. at 28.

[34] Rollo, pp. 264-265.

[35] Id. at 30-33.

[36] Id. at 34-38.

[37] G.R. No. 140436, 18 July 2000, 336 SCRA 113.

[38] Id. at 119-120.

[39] Havtor Management Phils., Inc. v. National Labor Relations Commission, G.R. No. 146336, 13 December 2001, 372 SCRA 271.

[40] EDI Staff Builders International, Inc. v. Magsino, G.R. No. 139430, 20 June 2001, 359 SCRA 212.

[41] Novelty Philippines, Inc. v. Court of Appeals, G.R. No. 146125, 17 September 2003, 411 SCRA 211.

[42] Id. at 217.

[43] G.R. No. 117056, 24 February 1998, 286 SCRA 454.

[44] Supra, at 466.

[45] Tres Reyes v. Maxim’s Tea House, G.R. No. 140853, 27 February 2003, 398 SCRA 288.

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