CHARLIE VIOS AND SPS. ROGELIO AND TERESITA ANTONIO, AND AS NOMINAL PARTY, HON. EMILIO L. LEACHON, PRESIDING JUDGE, RTC, BR. 224, QUEZON CITY, PETITIONERS, VS. MANUEL PANTANGCO, ...

G.R. No. 163103. February 06, 2009

Ponente: BRION, J.

Read online (full-text search, related cases, audio case brief): https://batas.org/library/g-r-no-163103/

BRION, J.:

We resolve the petition for review on certiorari[1] of the Decision of October 10, 2003 of the Court of Appeals (CA)[2] in Manuel Pantangco, Jr. v. Hon. Emilio L. Leachon, Presiding Judge of Branch 224, RTC, Quezon City, Charlie Vios and Sps. Rogelio and Teresita Antonio, docketed as CA-G.R. SP No. 47031, and the Resolution dated April 2, 2004 that denied the motion for reconsideration of the appealed Decision.

ANTECEDENTS

The Ejectment Case at the
Metropolitan Trial Court

Respondent Manuel Pantangco, Jr. (Pantangco) filed with the Metropolitan Trial Court (MTC), Branch 32, Quezon City a complaint for ejectment and damages against petitioners Charlie Vios (petitioner Vios) and the Spouses Rogelio and Teresita Antonio (Spouses Antonio) (collectively, the petitioners), docketed as Civil Case No. 37-8529. Pantangco alleged in his complaint that: (1) he is a co-owner - by purchase from the former owner - of a residential land located on Sampaguita St., Barangay Pasong Tamo, Quezon City registered under TCT No. 76956; (2) prior to his purchase of the property, he inquired from the petitioners whether they were interested in buying the property; when the petitioners responded that they were not, he told them that he would give them one (1) week from his purchase of the property to vacate the premises; he claimed that the petitioners agreed; (3) after the consummation of the sale to him, the petitioners refused to vacate notwithstanding the agreement; and (4) he filed the complaint when no settlement was reached before the Pangkat Tagapagkasundo.

The petitioners specifically denied in their Answer the material allegations of the complaint and pleaded the special and affirmative defenses that: (1) the disputed property belongs to the government since it forms part of unclassified public forest; (2) the real previous owner of the property was Alfredo Aquino, from whom they acquired their rights through a document entitled "Waiver"; (3) Pantangco's title is fake as it originated from Original Certificate of Title No. 614 which was nullified in a decision in Civil Case No. 36752 rendered by Judge Reynaldo V. Roura of the Regional Trial Court (RTC), Branch 83, Quezon City; and (4) assuming Pantangco's title to be valid, the property it covers is different from the premises they (the petitioners) occupy. They asked for the dismissal of the complaint and the payment of damages by way of a counterclaim.

Petitioner Vios was represented at the MTC proceedings by his counsel of record, Atty. Oscar D. Sollano (Atty. Sollano), while the petitioners Spouses Antonio were represented by Atty. Manuel C. Genova (Atty. Genova).

After appropriate proceedings, the MTC rendered on July 12, 1996 a decision (MTC decision) in Pantangco's favor, ordering the petitioners to: (1) immediately vacate the premises; (2) remove all structures and shanties constructed thereon; and (3) pay reasonable compensation for the use and occupancy of the property from February 1, 1994, until they actually vacate the property. Notices and copies of the MTC decision were transmitted on even date to the petitioners through their counsels of record. Atty. Genova received a copy of the decision on July 18, 1996, while Atty. Sollano received a copy on July 23, 1996.

On August 5, 1996, the Mauricio Law Office, through Atty. Melanio Mauricio, Jr., filed a Notice of Appearance with Urgent Motion stating that petitioner Vios received an incomplete copy of the decision from his former counsel, Atty. Sollano, and is, therefore, requesting the MTC to furnish petitioner Vios with a complete copy of the MTC decision.

Pantangco, on the other hand, filed on August 12, 1996 a Motion for the Issuance of a Writ of Execution, arguing that the decision is already final and executory as no notice of appeal was filed within the reglementary period by any of the petitioners. The MTC granted the motion on August 30, 1996 and the corresponding writ was issued forthwith.

On September 9, 1996, petitioner Vios moved to quash the writ asserting that it was null and void because the MTC decision had not become final and executory as he had not been notified of the decision; Atty. Sollano, to whom a copy of the MTC decision was sent, had allegedly withdrawn as his counsel sometime in November 1995.

The Sheriff issued on September 11, 1996 a Notice to Vacate and Demolish the Houses. Petitioner Vios thereupon moved to quash the writ of execution/demolition which Pantangco opposed.

The MTC denied the motion to quash the writs of execution and demolition in its Order dated September 23, 1996; the Sheriff thus implemented the writ of execution by turning over possession of the disputed property to Pantangco.

The Certiorari Case at the RTC

On November 13, 1996, petitioner Vios filed with the RTC, Branch 224, Quezon City a Petition for Certiorari and Mandamus with Prayer for a Writ of Preliminary Mandatory Injunction, assailing both the MTC decision and the writ of execution. Petitioner Vios assailed the MTC decision for being contrary to the evidence on record; he attacked the propriety of the writ of execution, on the other hand, on the ground that the MTC decision is not yet final because Atty. Sollano, to whom a copy of the decision was sent, had previously withdrawn as petitioner Vios' counsel. Pantangco initially filed a Motion to Dismiss the petition; via a Manifestation, he asked that the motion to dismiss be treated as his Answer to the petition.

On August 4, 1997, the RTC rendered a decision (RTC decision) in petitioner Vios' favor. It annulled the MTC decision for being contrary to the evidence; it annulled as well the related writ of execution on the reasoning that the decision it was implementing was not yet final and executory. In annulling the writ, the RTC said:

> Since there was lack of notice to the petitioners (referring to the petitioners here), the period for appeal has not expired and the decision has not become final and executory which made the writ of execution subsequently issued as null and void.[3]

The dispositive portion of the RTC decision reads:

> Accordingly, therefore, the Court has to render judgment for the petitioners [referring to petitioners Vios and the Spouses Antonio] as against the public and private respondent [referring to private respondent Pantangco,

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

> Jr.] and hereby sets aside the decision of the MTC, Branch 37, Quezon City dated July 12, 1996 and the writ of execution dated August 30, 1996.
>
> The Court likewise orders that the petitioners be restored to their possession of the subject premises and that all fixtures removed from the subject premises as a result of dispossession be restored to petitioners.
>
> The private respondent is hereby directed and ordered to exercise his options under Article 448 of the New Civil Code, that is, either to appropriate the houses of petitioners after payment of the proper indemnity or to require the petitioners to pay the value of the land, except when the value of the land is greater than the value of the building in which case to require each petitioners to pay rent which should be P3,5000.00 per month for the use and occupancy of the land in question effective on turn-over of the subject premises to petitioners.
>
> IT IS SO ORDERED.

On August 18, 1997, petitioner Vios moved for the immediate execution of the RTC decision. Pantangco, on the other hand, moved to reconsider the decision. The RTC denied petitioner Vios' motion for execution in light of Pantangco's timely motion for reconsideration.

On December 2, 1997, the RTC denied Pantangco's motion for reconsideration. Thus, petitioner Vios filed a Second Motion for Immediate Execution. This time, the RTC granted the motion in its Order dated February 10, 1998. The writ was not immediately implemented, leading to the issuance of an alias writ of execution which the Sheriff this time implemented by turning possession of the disputed property over to petitioner Vios.

At the Court of Appeals

On March 10, 1998, Pantangco filed with the CA a Petition for Declaration of Nullity of the RTC Decision. He essentially asserted in his petition that the RTC decision is void, given that the MTC decision cannot be assailed on certiorari; the proper remedy is an ordinary appeal from the MTC decision. He further argued that no remedy is available from the final and executory MTC decision as the remedy of appeal was lost when the period to appeal expired fifteen (15) days from receipt of petitioner's counsel of record of a copy of the MTC decision; certiorari is not a substitute for the remedy of appeal already lost. The RTC therefore, according to Pantangco, had no jurisdiction to hear and decide the certiorari petition and the decision it rendered was null and void. Pantangco additionally argued that the RTC exceeded its jurisdiction when it applied Article 448 of the Civil Code without hearing the parties on the issue of possession in good faith. He argued, too, that a petition for certiorari properly covers only grave abuse of discretion amounting to lack or excess of jurisdiction, nothing more and nothing less.

The CA rendered its assailed decision on October 10, 2003. The pertinent portion of which reads:

> Now to the issue of whether respondent Vios had been notified of the MTC Decision, through his former counsel of record, Atty. Oscar D. Sollano. This Court painstakingly examined the voluminous records of the case, particularly the MTC Record, which, by mandate of this Court, was elevated for our consideration, and found the same barren of any notice, filed by Atty. Oscar D. Sollano either before or after the promulgation of the MTC Decision, signifying his withdrawal as counsel for respondent Vios. Neither is there in the record any notice coming from respondent Vios himself informing the court of the withdrawal of Atty. Oscar D. Sollano as his counsel of record. Consequently, the MTC cannot be faulted for furnishing a copy of its Decision to respondent Vios, through Atty. Oscar D. Sollano.
>
> Having been validly notified of the MTC Decision through his counsel of record, respondent Vios had fifteen (15) days within which to appeal the aforesaid Decision. More specifically, he had until 07 August 1997, reckoned from 23 June 1997 when Atty. Oscar D. Sollano received a copy of the MTC Decision in his behalf, within which to interpose an appeal. Since the MTC Decision furnished to him by Atty. Oscar D. Sollano was allegedly incomplete, private respondent Charlie Vios filed an Urgent Motion to be furnished a complete copy

> of the aforesaid Decision on 05 August 1997 [sic, should be 1996], through the Mauricio Law Office that likewise entered its appearance his new counsel of record. The Court, however, did not act on the motion. On the theory that its decision had long become final and executory, it instead granted petitioner's Motion for Execution and, forthwith, issued the writ of execution prayed for.
>
> To our mind, the MTC had been rather precipitate in issuing the writ of execution to enforce its Decision even before it could act on private respondent Charlie Vios' motion to be furnished a copy of the Court's decision filed two (2) days before it became final and executory. It is on this basis that we are unable to accord the mantle of finality to the MTC Decision. To do so would deprive respondent Vios' of his right to due process, particularly his right to be notified fully of the MTC Decision against him and to elevate the same on appeal to a higher court. Since, the MTC Decision has not attained finality, the writ of execution issued pursuant thereto, is consequently, invalid and improper.
>
> x x x x
>
> In the instant case, it cannot be gainsaid that the RTC went beyond the ambit of its jurisdiction when it nullified the MTC Decision in an original action for certiorari and mandamus. While it was correct in its ruling that grave abuse of discretion attended the issuance of the writ of execution, it went too far when it ruled on the insufficiency of the evidence adduced by petitioner to establish his claim of rightful possession over the subject property. Not only that. The RTC made a determination as well on the rights of the parties to the improvements built on the subject property under the pertinent provisions of the New Civil Code, which it is not permitted to do in an original action for certiorari and mandamus. Not even the assailed MTC Decision, which contains no disposition regarding the parties' rights to the improvements but limited itself to a resolution of who between petitioner and private respondents have a better right of possession over the subject property, warrants such a determination. It follows, therefore, that the RTC Decision, except in so far as it nullified the writ of execution issued by the MTC in the ejectment proceedings, is itself null and void for lack of jurisdiction.
>
> Finally, it must be stressed that only respondent Vios instituted the special civil action assailing the MTC decision before the RTC. Private respondents Spouses Gregorio [sic, should be Rogelio] and Teresita Antonio were never a party thereto. Yet, in its Decision, the RTC found not only for respondent Vios, but as well for Spouses Gregorio and Teresita Antonio. In fact, the RTC Decision, in its entirety, considered respondents Spouses Antonio a party to the proceedings before it, when actually they were not, to the manifest prejudice of petitioner, as the Antonio's neither appealed the MTC Decision nor questioned the corresponding writ of execution issued pursuant thereto.

The CA denied, via the Resolution also assailed in this petition, the motion for reconsideration petitioner Vios subsequently filed.

THE PETITION

The petitioners' lone cited error states:

The Honorable Court of Appeals committed an error in entertaining the petition to declare the nullity of the decision of the RTC even if the available remedy was an ordinary appeal and therefore the RTC decision which set aside the MTC decision and restoring the petitioners to their possession of the subject premises has attained the stage of finality.

This assigned error actually consists of two (2) component arguments, namely:

- The petition for certiorari that petitioner Vios filed with the RTC was an original action and the proper remedy to question the RTC's decision is an ordinary appeal to the CA; the CA thus erred in entertaining Pantangco's Petition for Declaration of Nullity of the RTC Decision.

- In this light, the petitioners additionally argued that the RTC decision which was not appealed became final; and, right or wrong; the RTC's ruling became the law of the case that may no longer be disturbed.

THE COURT'S RULING

We find the petition partially meritorious.

What is the proper remedy from
the decision of the RTC in a
petition for certiorari?

A petition for certiorari - the remedy that petitioner Vios availed of to question the MTC decision before the RTC - is an original action whose resulting decision is a final order that completely disposes of the petition. The proper remedy from the RTC decision on the petition for certiorari that petitioner Vios filed with that court is an ordinary appeal to the CA under Section 2, Rule 41 of the Revised Rules of Court. Particularly instructive on this point is our ruling in Magestrado v. People of the Philippines,[4] thus:

> The procedural issue herein basically hinges on the proper remedy which petitioner should have availed himself of before the Court of Appeals: an ordinary appeal or a petition for certiorari. Petitioner claims that he correctly questioned RTC-Branch 83's Order of dismissal of his Petition for Certiorari in Civil Case No. Q-99-39358 through a Petition for Certiorari before the Court of Appeals. Private respondent and public respondent People of the Philippines insist that an ordinary appeal was the proper remedy.
>
> We agree with respondents. We hold that the appellate court did not err in dismissing petitioner's Petition for Certiorari, pursuant to Rule 41, Section 2 of the Revised Rules of Court (and not under Rule 44, Section 10, invoked by the Court of Appeals in its Resolution dated 5 March 2001).
>
> The correct procedural recourse for petitioner was appeal, not only because RTC-Branch 83 did not commit any grave abuse of discretion in dismissing petitioner's Petition for Certiorari in Civil Case No. Q-99-39358 but also because RTC-Branch 83's Order of dismissal was a final order from which petitioners should have appealed in accordance with Section 2, Rule 41 of the Revised Rules of Court.
>
> An order or a judgment is deemed final when it finally disposes of a pending action, so that nothing more can be done with it in the trial court. In other words, the order or judgment ends the litigation in the lower court. Au contraire, an interlocutory order does not dispose of the case completely, but leaves something to be done as regards the merits of the latter. RTC-Branch 83's Order dated 14 March 2001 dismissing petitioner's Petition for Certiorari in Civil Case No. Q-99-39358 finally disposes of the said case and RTC-Branch 83 can do nothing more with the case.
>
> Under Rule 41 of the Rules of Court, an appeal may be taken from a judgment or final order that completely disposes of the case, or of a particular matter therein when declared by the Revised Rules of Court to be appealable. The manner of appealing an RTC judgment or final order is also provided in Rule 41 as follows:
>
> Section 2. Modes of appeal. —
>
> (a) Ordinary appeal. — The appeal to the Court of Appeals in cases decided by the Regional Trial Court in the exercise of its original jurisdiction shall be taken by filing a notice of appeal with the court which rendered the judgment or final order appealed from and serving a copy thereof upon the adverse party. No record on appeal shall be required except in special proceedings and other cases of multiple or separate appeals where the law or these Rules so require. In such cases, the record on appeal shall be filed and served in like manner.
>
> Certiorari generally lies only when there is no appeal nor any other plain, speedy or adequate remedy available to petitioners. Here, appeal was available. It was adequate to deal with any question whether of fact or of law,

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

> whether of error of jurisdiction or grave abuse of discretion or error of judgment which the trial court might have committed. But petitioners instead filed a special civil action for certiorari.[5]

As in this cited case, Pantangco did not appeal. In lieu of an appeal, Pantangco sought to review the RTC certiorari decision through a "Petition for Declaration of Nullity of the RTC Decision" that is apparently based on Rule 47 of the Rules of Court.

Rule 47 is a remedy based on external fraud and lack of jurisdiction.[6] The intent to use this Rule suggests itself, not only because of the title of the petition, but because of its substance. Among other arguments, Pantangco claimed nullity of the RTC decision for lack of jurisdiction; only interlocutory orders of the MTC are subject to the RTC certiorari jurisdiction; final MTC orders must be appealed.[7] He likewise stressed that the RTC has no jurisdiction to reverse the decision of the MTC using a Rule 65 petition for certiorari because the Rule applies only to interlocutory orders rendered with grave abuse of discretion amounting to lack of or excess of jurisdiction.[8]

Pantangco's Rule 47 remedy is fatally defective because its use against an RTC decision in a certiorari case is foreclosed by the availability of an appeal to the CA. Section 1 of Rule 47 provides that it covers only annulment of judgments for which the ordinary remedies of new trial, appeal, petition for relief or other appropriate remedies are no longer available through no fault of the petitioner.[9] Ramirez-Jongco v. Veloso III[10] instructively tells us:

The remedy of annulment of judgment can [...] be resorted to only where ordinary and other appropriate remedies, including appeal, are no longer available through no fault of the petitioner. In the case at bar, the loss of the remedies of appeal and certiorari is attributable to the petitioners. Despite the manifestations of their intention to file an appeal, and subsequently a petition for certiorari, and their request for an extension of the filing period, the petitioners never availed of these remedies. Realizing the consequence of their negligence, the petitioners filed a petition for annulment of judgment in a last ditch effort to reverse the decision of the regional trial court. The rules do not sanction petitioners' procedural lapse.

Thus, the CA erred from the very beginning in ruling on Pantangco's petition; Pantangco opted for a mode of review other than the appeal that the Rules of Court require.

In light of the erroneous remedy taken from the RTC decision, is the RTC decision now the controlling or final determination of the dispute between the parties?

A. Law of the Case Doctrine versus Doctrine of Finality of Judgment

We start our consideration by re-stating the petitioners' basic position: the RTC decision has become final because of Pantangco's clearly erroneous remedy; this final decision is now the law of the case between the parties.

The law of the case doctrine applies in a situation where an appellate court has made a ruling on a question on appeal and thereafter remands the case to the lower court for further proceedings; the question settled by the appellate court becomes the law of the case at the lower court and in any subsequent appeal. It means that whatever is irrevocably established as the controlling legal rule or decision between the same parties in the same case continues to be the law of the case, whether correct on general principles or not, so long as the facts on which the legal rule or decision was predicated continue to be the facts of the case before the court.[11]

Based on this definition, the petitioners' heavy reliance on the law of the case doctrine is clearly misplaced. No opinion has been made in a former appeal that can be considered the controlling legal rule or decision between the

same parties thereafter. There is no remanded case to which a previous ruling on appeal applies.

Rather than the law of the case doctrine, the petitioners may actually be invoking the binding effect of what they view as a final RTC decision on the theory that the RTC decision already determined the rights of the parties with finality and binding effect. This is the doctrine of finality of judgment or immutability of judgment, defined and explained as follows:

> It is a hornbook rule that once a judgment has become final and executory, it may no longer be modified in any respect, even if the modification is meant to correct an erroneous conclusion of fact or law, and regardless of whether the modification is attempted to be made by the court rendering it or by the highest court of the land, as what remains to be done is the purely ministerial enforcement or execution of the judgment.
>
> The doctrine of finality of judgment is grounded on fundamental considerations of public policy and sound practice that at the risk of occasional errors, the judgment of adjudicating bodies must become final and executory on some definite date fixed by law. [...], the Supreme Court reiterated that the doctrine of immutability of final judgment is adhered to by necessity notwithstanding occasional errors that may result thereby, since litigations must somehow come to an end for otherwise, it would "be even more intolerable than the wrong and injustice it is designed to correct."[12]

If this indeed is the legal doctrine the petitioners refer to, the question that arises is whether the RTC decision is a ruling to which the doctrine can apply. If it is a judgment otherwise valid even if erroneous in content, then it is a judgment that should thereafter be followed. On the other hand, it cannot be so cited if it is an intrinsically void judgment.

B. The status of the RTC Decision.

We cannot recognize the RTC decision as a completely valid decision; it is partly void for lack of jurisdiction. Specifically, the RTC has no jurisdiction to review, reverse or modify, in any manner whatsoever, the MTC's decision on the merits of the ejectment case via a petition for certiorari filed under Rule 65; if the petitioners wanted a review of the MTC decision, they should have instead filed an appeal.

Certiorari is a remedy designed for the correction of errors of jurisdiction, not errors of judgment. When a court exercises its jurisdiction, an error committed while so engaged does not deprive it of the jurisdiction being exercised when the error was committed. Otherwise, every error committed by a court would deprive it of its jurisdiction and every erroneous judgment would be a void judgment. This cannot be allowed. The administration of justice would not survive such a rule. Consequently, an error of judgment that the court may commit in the exercise of its jurisdiction is not correctable through the original civil action of certiorari. The supervisory jurisdiction of a court over the issuance of a writ of certiorari cannot be exercised for the purpose of reviewing the intrinsic correctness of a judgment of the lower court - viz., on the basis either of the law or the facts of the case, or of the wisdom or legal soundness of the decision. Even if the findings of the court are incorrect, as long as it has jurisdiction over the case, such correction is normally beyond the province of certiorari. Where the error is not one of jurisdiction, but of an error of law or fact - a mistake of judgment - appeal is the proper remedy.[13]

In the present case, the RTC - apart from nullifying the writ of execution the MTC issued - also reversed the MTC decision on the merits for being contrary to the evidence; at the same time, the RTC applied and determined the rights of the parties under Article 448 of the Civil Code - an issue that the MTC never tackled.

This is the kind of review that we have consistently held to be legally improper for being outside the RTC's certiorari jurisdiction to undertake. Thus, the RTC decision is partly void insofar as it modified and reversed the MTC decision on the merits. In this light, the RTC decision cannot be fully considered a final and controlling ruling that must govern the parties. All RTC actions anchored on its decision on the merits, particularly its

determination of the rights of the parties under Article 448 of the Civil Code, are consequently void for want of legal basis. On the other hand, the RTC dispositions on matters within its jurisdiction or competence to decide are valid and binding. In this case, these are the dispositions related to the finality of the MTC decision and the writ of execution it issued.

To recapitulate, we hold that the CA erred in taking cognizance and fully ruling on Pantangco's Petition for Declaration of Nullity of the RTC Decision despite Pantangco's wrong remedy; Pantangco should have appealed and the availability of appeal foreclosed all other review remedies. To this extent, we grant the petition. We cannot, however, rule - as the petitioners advocate - that the CA's error shall result in the full enforcement of the RTC decision since this decision itself is partly void as above discussed.

WHEREFORE, premises considered, we PARTIALLY GRANT the petition and declare the Court of Appeals in error in ruling on the merits of respondent Pantangco's Rule 47 petition. We DENY the petition insofar as it asks us to recognize the decision of the Regional Trial Court dated August 4, 1997 as fully valid and binding; the only valid aspects we can recognize are those relating to the lack of finality of the decision of the Municipal Trial Court dated July 12, 1996 and the invalidity of the writ of execution that the Municipal Trial Court subsequently issued. The parties are directed to act guided by this Decision.

SO ORDERED.

Quisumbing, (Chairperson), Carpio Morales, Tinga and Velasco, Jr., JJ., concur.

---

[1] Filed under Rule 45 of the Revised Rules of Court.

[2] Penned by Associate Justice Rebecca de Guia Salvador, with Associate Justice Romeo A. Brawner (deceased) and Associate Justice Jose C. Reyes, Jr., concurring.

[3] Rollo, p. 132.

[4] G.R. No. 148072. July 10, 2007, 527 SCRA 125; see also our Resolution in Tensorex Industrial Corporation v. Court of Appeals, G.R. No. 117925, October 12, 1999, 316 SCRA 471.

[5] Id., Magestrado v. People, pp. 133-134. (Emphasis supplied)

[6] Rule 47, Sec. 2.

[7] Rollo, pp. 148-149.

[8] Id., p. 153.

[9] Rule 47, Section 1 provides:

SEC. 1. Coverage. - This Rule shall govern the 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 are no longer available through no fault of the petitioner.

[10] G.R. No. 149839, August 29, 2002, 388 SCRA 195, 200.

[11] See Bañes v. Lutheran Church in the Philippines G.R. No. 142308, November 15, 2005, 475 SCRA 13, 30-31; See also: United Overseas Bank of the Philippines v. Rose Moor Mining and Development Corporation, G.R. No. 172651, October 2, 2007, 534 SCRA 528, 542-543, citing Padillo v. Court of Appeals, 371 SCRA 27, 41-43 (2001).

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

[12] Coca-Cola Bottlers Philippines, Inc., Sales Force Union-PTGWO-BALAIS v. Coca-Cola Bottlers, Philippines, Inc., G.R. No. 155651. July 28, 2005, 464 SCRA 507, 513-514.

[13] See People v. Laguio, G.R. No. 128587, March 16, 2007, 518 SCRA 393, 410-411, citing Madrigal Transport, Inc. v. Lapanday Holdings Corporation, 436 SCRA123, 134 (2004).

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at https://batas.org

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.