PHILIPPINE PUBLIC SCHOOL TEACHERS ASSOCIATION, RAMON G. ASUNCION, JR. AND EDITHA TAMUYAO, PETITIONERS, VS. THE HEIRS OF CAROLINA P. ILIGAN, NAMELY: JOSELITO E. ILIGAN, JOY P. IL...

G.R. NO. 171562. July 27, 2006

Ponente: CALLEJO, SR., J.

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CALLEJO, SR., J.:

As a public school teacher who began her teaching career in October 1975, Carolina P. Iligan was a bona fide member of the Philippine Public School Teachers Association (PPSTA). She started as a "substitute teacher." She was a member of PPSTA's Mutual Assistance System (MAS), a death benefit program whereby a member pays a fixed contribution and upon his or her death, the heirs are paid a fixed amount. She was also a member of the Mutual Retirement Benefit System (MRBS), a retirement plan wherein a member pays a monthly premium of P4.00 and upon retirement would receive the benefit corresponding to the number of years paid for. Carolina was issued the respective certificates of membership, and the premium contributions for the two policies were automatically deducted from her monthly salary.

In June 2000, after 25 years of continuous teaching service, Carolina was diagnosed with breast cancer and was advised by her doctor to undergo aggressive chemotherapy treatment. She was confined in the hospital from June 19, 2000 up to December 2000. Premium payments for the two policies continued to be deducted from her salary up to August 2000.

In the meantime, Carolina had used up all her sick leave credits as of September 2000 and, thus, went on sick leave without pay. Consequently, the premium payments due from September 2000 to December 2000 were not paid. Carolina was eventually discharged from the hospital and resumed her teaching post on January 1, 2001. However, the premium payments were not deducted from her salary. On September 19, 2001, she returned to the hospital for chemotherapy treatment and was later confined at the Northern Mindanao Medical Center in Cagayan de Oro City up to September 22, 2001. On September 24, 2001, she was again confined at MJ Santos Hospital in Butuan City for complications due to abnormal lung condition. She died at the hospital on October 2, 2001.

Carolina's heirs, Joselito Iligan, Joy Iligan, and Irene P. Iligan, demanded that PPSTA pay them the P100,000.00 death benefit due to them as her heirs. PPSTA offered to remit only 50% of Carolina's total contributions, considering that, for failure to pay the monthly premiums, her policies had already lapsed as of November 2000, after the 90-day grace period provided under the Rules and Regulations of the MAS and the MRBS.

On April 11, 2002, the said Heirs filed a complaint for specific performance and sum of money before the Municipal Trial Court (MTC) of Nasipit, Agusan del Norte, naming PPSTA, its Acting General Manager and President Ramon G. Asuncion, Jr., and Accounting Section Chief Editha Tamuyao, as defendants. The complaint contained the following prayer:

> WHEREFORE, plaintiffs JOSELITO E. ILIGAN, JOY P. ILIGAN and IRENE P. ILIGAN respectfully pray that this Honorable Court, after due hearing, render judgment as follows:
>
> - Ordering defendant PPSTA to pay the full face value of deceased-member's Mutual Assistance System (MAS) and Mutual Retirement Benefit System (MRBS) policy benefits in the amount of no less than P100,000.00, with legal interest from date of demand;
>
> - Declaring defendants PPSTA, Asuncion and Tamuyao, jointly and severally, liable and ordering them to pay plaintiff-heirs the amount of PESOS: FIFTY THOUSAND (P50,000.00) as compensatory moral damages;
>
> - Declaring defendants PPSTA, Asuncion and Tamuyao, jointly and severally, liable and ordering them to pay plaintiff-heirs the amount of at least PESOS: FIFTY THOUSAND (P50,000.00) as corrective exemplary damages; and
>
> - Declaring defendants PPSTA, Asuncion and Tamuyao, jointly and severally, liable and ordering them to pay plaintiff-heirs the amount of at least PESOS: THIRTY THOUSAND (P30,000.00) as attorney's fees and at least PESOS: TEN THOUSAND (P10,000.00) as litigation costs.

Herein plaintiffs respectfully pray for such other remedies just and equitable under the premises.[1]

In their answer to the complaint, the defendants denied these claims. They alleged that upon Carolina's death, her membership in the MAS and MRBS had already lapsed, since the last premium payment made through payroll deduction was for August 2000. Verification from the ECS-IMB Payroll Services Division confirmed that no deduction was made from her salary in favor of PPSTA during the nine-month period in 2001, and that the deductions were only for medicare, withholding tax and prior years' account with the GSIS. It was also pointed out that Carolina had failed to pay premiums for her MAS and MRBS policies for more than 13 months; consequently, pursuant to the rules and regulations therein, no benefit accrued to her beneficiaries upon her death except the 50% refund of all her contributions. They further claimed that they had no duty to send notices to inform members of the lapse of their respective policies, as such members are supposed to know the consequences if the required premium contributions are not paid. The members are charged with knowledge of non-payment through salary deductions, as this fact would be reflected in their respective pay slips. As the caretakers of the trust funds belonging to more than 250,000 members, defendants are bound to disburse the same only in accordance with the prescribed rules and regulations duly approved by the pertinent government agencies, particularly the Insurance Commission. They insisted that they had acted in good faith in denying plaintiffs' claims.

During trial, the defendants adduced testimonial and documentary evidence to show that Carolina had received copies of the rules and regulations of her MAS and MRBS policies.

On April 16, 2004, the MTC rendered judgment in favor of defendants. The fallo of the decision reads:

> WHEREFORE, by preponderance of evidence against the plaintiffs, the above-entitled case is hereby dismissed for lack of legal basis.
>
> However, herein defendants are hereby directed to pay the plaintiffs the amount of P2,914.00 as offered by them per Exhibit "G."
>
> Likewise, defendants' counterclaim for damages is hereby dismissed for lack of factual basis.
>
> SO ORDERED.[2]

The MTC ruled that Carolina's heirs failed to adduce preponderant evidence to prove their claim. Based on the evidence on record, Carolina knew of the MAS and MRBS rules and regulations regarding premium payments.

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The court likewise affirmed defendants' claim that they acted in good faith in rejecting the claim of plaintiffs.

Carolina's heirs appealed the decision to the RTC. On January 18, 2005, it reversed the ruling of the MTC, on its finding that Carolina was not given a copy of the PPSTA's rules and regulations for its MAS and MRBS programs, or notified of her delinquency in remitting her premium contributions. The fallo of the decision reads:

> WHEREFORE, and as a consequence of the foregoing, the judgment of the Municipal Trial Court of Nasipit, Agusan del Norte is hereby reversed and set aside, and a new judgment entered ordering defendants PPSTA, Ramon G. Asuncion, Jr., and Edith Tamuyao, to pay plaintiffs, Joselito E. Iligan, Joy P. Iligan and Irene P. Iligan, the following:
>
> - Proceeds of the late member's (Carolina P. Iligan's) MAS and MRBS Policies in full with legal interest from date of demand;
>
> - Attorney's Fees in the amount of P30,000.00;
>
> - Moral and Exemplary Damages in the amount of P50,000.00; and
>
> - Cost of the suit.
>
> SO ORDERED.[3]

According to the RTC, Section 393 of the Insurance Code requires that the certificate of membership of a mutual benefit association shall be accompanied by the articles of incorporation of the association or its constitution and by-laws, and all existing laws as are pertinent, which shall then compose the agreement. Thus, in issuing only a certificate of membership to Carolina, PPSTA did not follow the mandate of the law. While a sample application form for a MAS plan with the rules and regulations printed at the back was presented, this does not prove that the certificate issued to Carolina also contained such rules and regulations. PPSTA should, have instead presented original copies of Carolina's certificate of membership which her heirs had forwarded upon filing their claim. According to the RTC, the allegation of PPSTA that it had sent a notice of delinquency to Carolina cannot be considered since the said notice was unsigned, hence, a mere scrap of paper. Furthermore, the PPSTA admitted that Carolina's contributions to its MAS and MRBS programs were automatically deducted from her salary; thus, Carolina could hardly be blamed for the non-payment of her premium contributions.[4]

Aggrieved, the PPSTA filed a petition for review with the CA on the following assignment of errors:

I.

> THE REGIONAL TRIAL COURT OF BUTUAN CITY, BRANCH 5, ERRED IN FINDING THAT THE LATE CAROLINA ILIGAN WAS NOT NOTIFIED OF THE RULES AND REGULATIONS OF THE MAS AND MRBS.
>
> II.
>
> THE REGIONAL TRIAL COURT OF BUTUAN CITY, BRANCH 5, GRAVELY ERRED IN HOLDING THAT THE MAS AND MRBS MEMBERSHIP CERTIFICATES ISSUED BY THE PPSTA WERE DEFICIENT INASMUCH AS THEY WERE NOT ACCOMPANIED BY ITS ARTICLES OF INCORPORATION, CONSTITUTION AND BY-LAWS.
>
> III.
>
> THE REGIONAL TRIAL COURT OF BUTUAN CITY, BRANCH 5, ERRED IN RULING THAT THE LATE CAROLINA ILIGAN WAS NOT NOTIFIED BY THE PPSTA OF HER DELINQUENCY IN REMITTING THE PREMIUM CONTRIBUTIONS OF HER MAS AND MRBS POLICIES AS WELL AS

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THE SUBSEQUENT LAPSE OF HER MAS AND MRBS POLICIES.

IV.

THE REGIONAL TRIAL COURT OF BUTUAN CITY, BRANCH 5, COMMITTED GRIEVOUS ERROR IN HOLDING THAT CAROLINA ILIGAN DID NOT INCUR ANY DELAY IN THE PAYMENT OF HER MAS AND MRBS CONTRIBUTIONS IN VIEW OF ITS DETERMINATION THAT THE NOTICE OF DELINQUENCY SENT BY THE PPSTA WAS ALLEGEDLY INSUFFICIENT FOR BEING UNSIGNED.

V.

THE REGIONAL TRIAL COURT OF BUTUAN CITY, BRANCH 5, ERRED IN AWARDHNG RESPONDENTS THE FULL BENEFITS OF THE LATE CAROLINA ILIGAN'S MAS AND MRBS POLICIES NOTWITHSTANDING THE FACT THAT THE SAID POLICIES HAD LAPSED ON ACCOUNT OF MS. ILIGAN'S FAILURE TO PAY HER PREMIUM CONTRIBUTIONS FOR BOTH BENEFIT PROGRAMS PRIOR TO HER DEATH.

VI.

THE REGIONAL TRIAL COURT OF BUTUAN CITY, BRANCH 5, ERRED IN AWARDING DAMAGES AND ATTORNEY'S FEES IN FAVOR OF THE RESPONDENTS.[5]

Petitioner Editha Tamuyao executed the requisite verification and certification of non-forum shopping in her behalf, while petitioners Ramon G. Asuncion, Jr. executed the requisite verification and certification of non-forum shopping in his behalf and in behalf of petitioner PPSTA, alleging therein that he is petitioner PPSTA's corporate secretary and that he had caused the preparation and filing of the petition for review. However, petitioners failed to incorporate or append in their petition a copy of the resolution of the Board of Directors of petitioner PPSTA, authorizing petitioner Asuncion to sign the certificate of non-forum shopping in its behalf.

On June 8, 2005, the CA dismissed the petition for being "defective in substance," there being no proof that Asuncion had been duly authorized by petitioner PPSTA to execute and file a certification of non-forum shopping in its behalf.[6]

In their Comment filed on the same date, respondents prayed that the petition be dismissed for failure of petitioners to append thereto the required resolution of the Board of Directors of petitioner PPSTA, authorizing Asuncion to execute the certification of non-forum shopping for and in its behalf.

In their Reply, petitioners averred that respondents had impleaded Asuncion, and that the latter represented petitioner PPSTA in the MTC and the RTC. Thus, respondents were estopped from challenging the authority of petitioner Asuncion to represent petitioner PPSTA in this case. In any event, petitioners aver, they had appended thereto a Secretary's Certificate signed by Asuncion, which reads:

I, RAMON G. ASUNCION, JR., of legal age, Filipino, and with office address at PPSTA Bldg., No. 245 Banawe Street, Quezon City, after having been duly sworn in accordance with law, hereby certify that:

- I am the Corporate Secretary of the PHILIPPINE PUBLIC SCHOOL TEACHERS ASSOCIATION ("PPSTA"), a corporation duly organized and existing under Philippine Laws, with principal office address at PPSTA Bldg., No. 245 Banawe Street, Quezon City.

- I hereby certify that at the regular meeting of the Board of Directors of the PPSTA held at the above given address, during which a quorum was present, the following resolutions were unanimously approved and adopted, to wit:

Be it RESOLVED, as it is hereby resolved, that MR. RAMON G. ASUNCION, JR., the Association's

> Corporate Secretary, be hereby authorized and empowered to cause the preparation and filing of a Petition For Review with the Court of Appeals for the purpose of setting aside and annulling the Decision dated 18 January 2005 as well as the Order dated 05 April 2005 rendered by the Regional Trial Court of Butuan City, Branch 5, in Heirs of Carolina P. lligan, et al. v. Philippine Public School Teachers Association, Ramon G. Asuncion, Jr. and Editha C. Tamuyao, docketed as Civil Case No. 5478, to prosecute the said Petition in behalf of the Association through the Association's duly appointed counsel, DE MESA ZABALLERO & PARTNERS LAW OFFICES, and to sign, execute and deliver any and all documents or instruments that may be required or necessary to accomplish the foregoing act.
>
> IN WITNESS WHEREOF, I have hereunto set my hand this 2nd day of May 2005 in San Juan, Metro Manila.
>
> Sgd.
> RAMON G. ASUNCION, JR.
> Affiant
>
> SUBSCRIBED AND SWORN to before me this 2[nd] day of May 2005, affiant exhibiting to me his Community Tax Certificate No. 1 8883459 issued on 21 February 2005 at City of Manila.

Sgd.

Doc. No. 149;

PRISCILLA N. FERNANDO

Page No. 30;

Notary Public

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Until December 31, 2005

Series of 2005.

PTR No._____, San Juan

IBP Lifetime No. 02874, Makati City[7]

Petitioners moved to have the appellate court's resolution reconsidered, alleging that Asuncion was clothed with sufficient authority to file the instant petition in behalf of petitioner PPSTA. They insisted that the failure to attach proof of such authority in the petition for review was due solely to inadvertence, which does not warrant the outright dismissal of the petition.[8] To allow the submission of the secretary's certificate would best serve the interest of justice and would enable the appellate court to review the ruling of the RTC. While they recognize the need to comply with procedural requirements, rigid adherence to the rules must be relaxed when demanded by the higher dictates of substantial justice. Petitioners emphasized that its submission of the secretary's certificate demonstrates that petitioner Asuncion is clothed with ample authority to file the petition for and in behalf of the PPSTA, and that the submission of such document with the motion for reconsideration constitutes substantial compliance with the aforecited Rule."[9]

Petitioners insisted that the disposition of the petition should not be based on technicalities and must be decided on the merits, as the ends of justice would be better served in this way.

However, the CA issued a Resolution[10] denying the motion of petitioners on the ground that, apart from the lame and unsubstantiated excuse of inadvertence, no meritorious arguments were offered as to warrant a departure

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from existing procedural norms, or a modification or reversal of the Court's June 8, 2005 Resolution dismissing the instant petition.

Thus, petitioners filed the instant petition for review on certiorari, alleging that:

I.

> THE COURT OF APPEALS ERRED IN DISMISSING THE PETITION FOR REVIEW ON THE SUPPOSED LACK OF AUTHORITY OF PETITIONER RAMON G. ASUNCION, JR. TO FILE THE PETITION IN BEHALF OF PETITIONER PPSTA. CONTRARY TO THE DETERMINATION OF THE COURT OF APPEALS, THE AUTHORITY OF PETITIONER ASUNCION TO FILE THE PETITION IS SHOWN BY THE 02 MAY 2005 SECRETARY'S CERTIFICATE WHICH WAS DULY SUBMITTED BY THE PETITIONERS TO THE COURT OF APPEALS.
>
> II.
>
> THE INSTANT CASE INVOLVES A QUESTION DETERMINATIVE OF THE FUTURE OF THE LARGEST ASSOCIATION OF PUBLIC SCHOOL TEACHERS AND, HENCE, NEEDS TO BE RESOLVED ON THE MERITS.[11]

Petitioners aver that there is a need for the CA to resolve the petition on its merits. They assert that to sustain the trial court's decision would set a dangerous precedent - it would bring petitioner PPSTA to the brink of bankruptcy, sanctioning as it will the payment of benefits to members with lapsed policies which would also violate the benefit program's rules and regulations. They point out that the PPSTA has more than 250,000 members who are also members of the MAS and MRBS benefit programs. To protect itself from a sudden upsurge of claims under both programs, petitioner PPSTA reinsures each member's MAS and MRBS policies, and pays a monthly premium for each policy, hence, the importance of prompt collection of each member's MAS and MRBS premium contributions.

Petitioners insist that petitioner PPSTA cannot be expected to pay the full benefits for lapsed policies, let alone subsidize the contributions of non-paying members, and that to do so would contravene the MAS and MRBS rules and regulations which were approved by no less than the Insurance Commission. It would likewise be detrimental to petitioner PPSTA as it would put a strain on its funds and jeopardize its ability to settle the claims of members with valid and subsisting policies. To illustrate, the beneficiaries of a deceased member with a lapsed or cancelled MAS policy would be paid P100,000.00 as death aid benefit, which, under the MAS rules and regulations, should be awarded only to the beneficiaries of a member with a subsisting or updated policy. Even worse, petitioner PPSTA could no longer seek the reimbursement of that amount from its reinsurer. Ultimately, petitioner PPSTA would be saddled with the payment of claims under lapsed MAS and MRBS policies, and its ability to settle claims made under valid and subsisting policies would be seriously impaired.

Thus, according to petitioners, "there is a compelling necessity for a definitive ruling on the propriety of the trial court's award of the full benefits of Carolina's lapsed MAS and MRBS policies, for which reason, a review of the January 18, 2005 Decision is in order."[12]

The petition is meritorious.

Section 2, Rule 42 of the Rules of Civil Procedure reads:

> Sec. 2. Form and contents. - The petition shall be filed in seven (7) legible copies, with the original copy intended for the court being indicated as such by the petitioner, and shall (a) state the full names of the parties to the case, without impleading the lower courts or judges thereof either as petitioners or respondents; (b) indicate the specific material dates showing that it was filed on time; (c) set forth concisely a statement of the

> matters involved, the issues raised, the specification of errors of fact or law, or both, allegedly committed by the Regional Trial Court, and the reasons or arguments relied upon for the allowance of the appeal; (d) be accompanied by clearly legible duplicate originals or true copies of the judgments or final orders of both lower courts, certified correct by the clerk of court of the Regional Trial Court, the requisite number of plain copies thereof and of the pleadings and other material portions of the record as would support the allegations of the petition.
>
> The petitioner shall also submit together with the petition a certification under oath 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.

Under Section 3[13] of the same Rule, failure to comply shall be sufficient ground for the dismissal of the petition. The rule on certification against forum shopping is intended to prevent the actual filing of multiple petitions/complaints involving identical causes of action, subject matter and issues in other tribunals or agencies as a form of forum shopping. This is rooted in the principle that a party-litigant should not be allowed to pursue simultaneous remedies in different forums, as this practice is detrimental to orderly judicial procedure.[14] Although not jurisdictional, the requirement of a certification of non-forum shopping is mandatory. The rule requires that a certification against forum shopping should be appended to or incorporated in the initiatory pleading filed before the court. The rule also requires that the party, not counsel, must certify under oath that he has not commenced any other action involving the same issue in the court or any other tribunal or agency.[15]

The requirement that the certification of non-forum shopping should be executed and signed by the plaintiff or principal means that counsel cannot sign said certification unless clothed with special authority to do so. The reason for this is that the plaintiff or principal knows better than anyone else whether a petition has previously been filed involving the same case or substantially the same issues. Hence, a certification signed by counsel alone is defective and constitutes a valid cause for dismissal of the petition. In the case of natural persons, the Rule requires the parties themselves to sign the certificate of non-forum shopping. However, in the case of the corporations, the physical act of signing may be performed, on behalf of the corporate entity, only by specifically authorized individuals for the simple reason that corporations, as artificial persons, cannot personally do the task themselves. It cannot be gainsaid that obedience to the requirements of procedural rules is needed if we are to expect fair results therefrom. Utter disregard of the rules cannot justly be rationalized by harking on the policy of liberal construction.[16]

We agree with respondents' contention that when they filed their complaint in the MTC, they impleaded petitioner Asuncion as party-defendant in his capacity as the Acting General Manager of petitioner PPSTA. As such officer, he was authorized to sign a verification and certification of non-forum shopping.[17] However, he was no longer the Acting General Manager when petitioners filed their petition in the CA, where he was in fact referred to as "the former Acting General Manager." Thus, at the time the petition was filed before the CA, petitioner Asuncion's authority to sign the verification and certification of non-forum shopping for and in behalf of petitioner PPSTA ceased to exist. There was a need for the board of directors of petitioner PPSTA to authorize him to sign the requisite certification of non-forum shopping, and to append the same to their petition as Annex thereof.

The ruling of the CA that petitioner PPSTA was negligent when it failed to append in its petition a board resolution authorizing petitioner Asuncion to sign the certification of non-forum shopping in its behalf is correct.

Petitioners knew that the outcome of their petition in the CA was of such importance that an adverse decision would oblige petitioner PPSTA to the brink of bankruptcy, to the prejudice of more than 250,000 members of PPSTA, who were also members of MAS and MRBS. It behooved petitioners to insure that petitioners complied with the formal requisites of Rule 42 of the Rules of Court. It appears that on May 2, 2005, on the eve of the filing of the petition, petitioner Asuncion had allegedly signed a Secretary's Certificate, which incorporated therein the Resolution of the Board of Directors authorizing him to sign the certificate of non-forum shopping. However, such board resolution was only appended to the reply of petitioners. Indeed, the general rule is that a subsequent compliance with the requirements will not excuse a party's failure to comply in the first instance.[18]

We have reviewed the records, however, and find that a strict application of Rule 42, in relation to Section 5, Rule 7 of the Revised Rules of Court is not called for. As we held in Huntington Steel Products, Inc. v. National Labor Relations Commission,[19] while the requirement of strict compliance underscores the mandatory nature of the rule, it does not necessarily interdict substantial compliance with its provisions under justifiable circumstances. The rule should not be interpreted with such absolute literalness as to subvert its own ultimate and legitimate objective which is the goal of all rules of procedure, that is, to achieve justice as expeditiously as possible. A liberal application of the rule may be justified where special circumstances or compelling reasons are present.[20]

Admittedly, the authorization of petitioner PPSTA's corporate secretary was submitted to the appellate court only after petitioners received the comment of respondents. However, in view of the peculiar circumstances of the present case and in the interest of substantial justice, and considering further that petitioners submitted such authorization before the CA resolved to dismiss the petition on the technical ground, we hold that, the procedural defect may be set aside pro hac vice[21] Technical rules of procedure should be rules enjoined to facilitate the orderly administration of justice. The liberality in the application of rules of procedure may not be invoked if it will result in the wanton disregard of the rules or cause needless delay in the administration of justice. Indeed, it cannot be gainsaid that regulations of petitioner PPSTA and its MAS and MRBS programs. Compassion for the beneficiaries of those who are not entitled to the benefits ignores the need to show a greater concern for the trust funds to which thousands of members and their families look to for benefits. If these benefits are given to beneficiaries who are not after all entitled thereto, the trust funds stand to be depleted.

IN LIGHT OF ALL THE FOREGOING, the petition is GRANTED. The assailed Resolutions of the Court of Appeals are SET ASIDE The appellate court is DIRECTED to resolve CA-G.R. SP No. 000318 with reasonable dispatch. No costs.

SO ORDERED.

Panganiban, C.J., (Chairperson), Ynares-Santiago, Austria-Martinez, and Chico-Nazario, JJ., concur.

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[1] Rollo, pp. 179-180.

[2] Id. at 286.

[3] Id. at 348-349.

[4] Id. at 346-348.

[5] Id. at 394-395.

[6] 6 Id. at 44.

[7] Id. at 457.

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[8] Id. at 458.

[9] Id. at 461-462.

[10] id. at 46.

[11] Id. at 26-27.

[12] Id. at 37.

[13] The full text of the provision reads:

Sec. 3. Effect of failure to comply with requirements. - The failure of the petitioner to comply with any of the foregoing requirements regarding the payment of the docket and other lawful fees, the deposit for costs, proof of service of the petition, and the contents of and the documents which should accompany the petition shall be sufficient ground for the dismissal thereof.

[14] Republic v. Carmel Development, Inc., All Phil 723 743 (2002).

[15] Id.

[16] Hydro Resources Contractors Corporation v. National Irrigation Administration, G.R. No. 160215, November 10,2004,441 SCRA 614, 635-636.

[17] Novelty Philippines, Inc. v. Court of Appeals, G.R. No. 146125, September 17, 2003, 41 1 SCRA 211, 218.

[18] Spouses Melo v. Courl of Appeals, 376 Phil. 204, 214 (1999).

[19] G.R. No. 158311, November 17, 2004, 442 SCRA 551, 559.

[20] Marcopper Mining Corporation v. Solidbank Corporation, G.R. No. 134049, June 17, 2004, 432 SCRA 360,388.

[21] Huntington Steel Products, Inc. v. National Labor Relations Commission, supra note 19, at 560.

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