# SPOUSES ROBERT C. PADERANGA AND JOVITA M. PADERANGA, PETITIONERS, VS. SPOUSES PENDATUN A. BOGABONG AND NORMA P. BOGABONG; STALINGEORGE PADERANGA AND THE REGISTER OF DEEDS OF ILI...

*G.R. No. 190998. July 20, 2015*

Ponente: PERALTA, J.

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**PERALTA, J.:**

This deals with the Petition for Review on Certiorari under Rule 45 of the Rules of Court praying that the Resolution[1] of the Court of Appeals (CA), promulgated on September 16, 2008, and the Resolution[2] dated December 7, 2009, denying petitioner's motion for reconsideration thereof, be reversed and set aside.

Petitioners filed with the Regional Trial Court of Iligan City (RTC) a Complaint for Injunction, Declaration of Nullity of forged Power of Attorney, etc., with Prayer for Preliminary Injunction or Restraining Order, against respondents. The main issue raised in the complaint was the genuineness and authenticity of the signature of petitioner Robert Paderanga appearing on a Special Power of Attorney[3] (SPA) supposedly authorizing respondent Stalingeorge Paderanga to sell the tract of land in contention. After trial, the RTC rendered judgment in favor of respondents, declaring the signature on the SPA as the true and genuine signature of Dr. Robert C. Paderanga, and dismissing the complaint. Petitioners' motion for reconsideration of the aforesaid Decision was denied per Resolution[4] dated May 21, 2007.

Petitioners then appealed to the CA. After petitioners were notified to file their appellants' brief, their counsel prayed for several extensions of time within which to file the required pleading. The CA granted petitioners an extension of time totaling ninety (90) days, but petitioners still belatedly filed the appellants' brief.

Thus, the CA issued the Resolution dated September 16, 2008, wherein petitioners' appeal was deemed to have been abandoned and, accordingly, dismissed. In said Resolution, the CA stressed that in its Resolution dated April 25, 2008, petitioners were granted a second extension of thirty (30) days, but this time with a warning that no further motion for extension shall thereafter be entertained. The motion for reconsideration of the dismissal was denied in the CA's Resolution dated December 7, 2009.

Petitioners now come beseeching the Court to decide their case on the merits, presenting issues regarding (1) the authenticity of the signature of petitioner Robert Paderanga on the SPA; (2) the credibility of the handwriting expert presented as a defense witness; (3) the validity of the deed of sale executed by Stalingeorge Paderanga pursuant to the SPA in question; (4) whether respondents are innocent purchasers for value; (5) the propriety of the partition of the property; and (5) petitioners' right to damages. Lastly, petitioners assail the CA's dismissal of their appeal on the ground that the appellants' brief was belatedly filed, arguing that, in the interest of justice, their case should be decided on the merits.

Indeed, the courts should always aim for the expeditious and orderly administration of justice. However, this

aspiration should not mar the higher interest of the just resolution of cases on its merits. Unless the non-compliance with procedural rules is wantonly and deliberately vexatious and dilatory, proving to be very oppressive to one of the parties, it is better for all concerned to give premium to the substantial merits of the case over the non-compliance with mere rules and technicalities. In Villanueva v. People,[5] the Court emphasized that "[i]n rendering justice, procedural infirmities take a backseat against substantive rights of litigants."[6] Verily, herein petitioners should be given the opportunity to fully argue the substantial issues and have their case reviewed by the appellate court.

Since Rule 45 of the Rules of Court clearly provides that only questions of law shall be entertained in a petition for review on certiorari, the issues raised in the present petition should first be threshed out below.

WHEREFORE, the instant petition is GRANTED and the case is REMANDED to the Court of Appeals for proper disposition.

**SO ORDERED.**

Velasco, Jr., (Chairperson), Villarama, Jr., Perez,[*] and Jardeleza, JJ., concur.

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August 13, 2015

NOTICE OF JUDGMENT
Sirs / Mesdames:

Please take notice that on July 20, 2015 a Decision, copy attached hereto, was rendered by the Supreme Court in the above-entitled case, the original of which was received by this Office on August 13, 2015 at 3:20 p.m.

Very truly yours,
(SGD.)
WILFREDO V. LAPITAN
Division Clerk of Court

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[*] Designated Acting Member in lieu of Associate Justice Bienvenido L. Reyes, per Special Order No. 2084 dated June 29, 2015.

[1] Penned by Associate Justice Rodrigo F. Lim, Jr., with Associate Justices Jane Aurora C. Lantion, Michael P. Elbinias and Edgardo T. Lloren, concurring; and Associate Justice Ruben C. Ayson, dissenting; rollo p. 92-95.

[2] Penned by Associate Justice Rodrigo F. Lim, Jr., with Associate Justices Romulo V. Borja, Edgardo A. Camello and Edgardo T. Lloren, concurring; and Associate Justice Ruben C. Ayson, dissenting; id. at 97-99.

[3] Rollo, p. 267.

[4] Id. at 231-232.

[5] 659 Phil. 418 (2011).

[6] Villanueva v. People, supra, at 429.


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