

ISIDRO A. BAUTISTA, PETITIONER, V. TERESITA M. YUJUICO, RESPONDENT.*G.R. No. 199654. October 03, 2018*

Ponente: A. REYES, JR., J.

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This is a petition for review on certiorari[1] filed under Rule 45 of the Rules of Court, praying for the reversal of the Court of Appeals' (CA) Decision[2] dated December 8, 2011 in CA-G.R. CR No. 32900. In this decision, the CA affirmed the Decision dated November 3, 2008 of the Regional Trial Court (RTC) of Manila,[3] finding petitioner Isidro A. Bautista (Isidro) liable for indirect contempt of court, and directing him to pay a fine of Thirty Thousand Pesos (Php 30,000.00), attorney's fees in the same amount, plus the costs of suit.

Factual Antecedents

This case arose from a complaint for expropriation filed by the City of Manila against respondent Teresita M. Yujuico (Teresita). Teresita was the registered owner of a property with an approximate area of 3,979.10 square meters (subject property),[4] covered by Transfer Certificates of Title Nos. 71541, 71548, 24423, 71544 and 71546, situated along Solis Street, near Juan Luna Street, in Manila's Second District.[5] The City of Manila intended to use the subject property for the construction of the Francisco Benitez Elementary School.[6] For this purpose, the City Council of Manila enacted an ordinance, which provided that an amount equivalent to the current fair market value of the subject property will be allocated out of the Special Education Fund.[7] The case was docketed as Civil Case No. 96-79699, and raffled to Branch 15 of the RTC of Manila.

The complaint for expropriation was granted in the Decision dated June 30, 2000 of the RTC, which fixed the fair market value of the subject property at Php 18,164.80 per sq m, while the improvements were valued at Php 978,000.00. In total, the City of Manila was directed to pay the amount of Php 73,257,555.00 as just compensation for the subject property and its improvements, minus the amount of Php 5,363,289.00 already deposited with the trial court. This means that the City of Manila was liable for the balance of Php 67,894,266.00, with interest at the rate of 6% per annum from the time the City of Manila took possession of the subject property on July 15, 1997, until its full payment to Teresita.[8]

The judgment on just compensation became final and executory. On June 28, 2001, the RTC of Manila issued a Writ of Execution commanding the deputy sheriff to commence the execution of the Decision dated June 30, 2000.[9] The sheriff thereafter served a Notice of Garnishment on the funds of the City of Manila in the Land Bank of the Philippines, YMCA Branch, Manila (Land Bank, YMCA Branch).[10]

The City of Manila moved to quash the notice of garnishment. But the RTC denied this motion in its Order dated August 2, 2001 on the basis of the City of Manila's earlier manifestation. Its manifestation before the trial court pertained to the appropriation made by the City School Board (CSB) of Manila, in the amount of Php 36,403,170.00, for the expropriation of the subject property. Since Teresita has received the amount of Php 5,363,289.00 earlier deposited with the trial court, the RTC directed the release of the remaining amount of Php

31,039,881.00 deposited with Land Bank.[11]

The trial court further directed the CSB to pass a resolution for the payment of the remaining balance due to Teresita within 30 days from notice. The order was served on the CSB of Manila on August 3, 2001.[12]

On August 14, 2001, Teresita followed up the status of CSB's compliance with this directive. She likewise submitted a manifestation with the trial court on August 30, 2001, requesting the City of Manila and the CSB to notify her once they have passed the required resolution.[13] Regrettably, the 30-day period lapsed but neither the City of Manila nor the CSB replied to Teresita. She thus sent a formal letter of demand on September 10, 2001, seeking their compliance with the RTC's Order dated August 2, 2001.[14]

Teresita also filed a petition for mandamus on June 7, 2002, impleading the officials and members of the CSB as respondents.[15] In her petition, Teresita sought to compel the passage of a resolution appropriating the necessary amount for the payment of the remaining balance of the just compensation awarded in her favor.[16] The mandamus petition was docketed as Civil Case No. 02-103748, and assigned to Branch 15 of the RTC of Manila.

In a Decision[17] dated October 9, 2002, the trial court granted Teresita's petition for mandamus, and directed the CSB to pass the resolution for the appropriate amount:

WHEREFORE, premises considered, the petition is GRANTED, and the [CSB] are hereby ordered to immediately pass a resolution appropriating the necessary amount; and the corresponding disbursement thereof, for the full and complete payment of the remaining balance of the court-adjudged compensation due and owing to [Teresita].

SO ORDERED.[18]

The CSB moved for the reconsideration of this decision but the trial court denied this motion. The Decision dated October 9, 2002 granting the petition for mandamus eventually became final and executory. Teresita moved for the execution of this judgment, which the trial court granted in its Order[19] dated March 12, 2003.

On March 14, 2003, the CSB filed a petition for relief from judgment, with a prayer for the issuance of a temporary restraining order and a writ of preliminary injunction. The CSB argued that, due to excusable negligence, they failed to appeal from the judgment of the trial court granting the petition for mandamus. While the prayer for injunctive relief was denied, the trial court nonetheless granted the CSB's petition for relief in an Order[20] dated June 25, 2004.

Aggrieved, Teresita challenged the trial court's Order dated June 5, 2004 before this Court via a petition for review on certiorari under Rule 45 of the Rules of Court.[21] The case was docketed as G.R. No. 164282, entitled "Teresita M. Yujuico v. Hon. Jose L. Atienza, Jr., et al."

In a Decision promulgated on October 12, 2005, the Court ruled that it was improper for the trial court to grant the CSB's petition for relief from judgment. The Court rejected the CSB's argument that the failure of the clerk from the Office of the City Legal Officer (OCLO) of Manila to notify the handling lawyer is "a pardonable oversight." [22] The Court therefore held that:

WHEREFORE, the petition is GRANTED. The Order of the trial court dated 25 June 2004, granting respondents' Petition for Relief from Judgment is REVERSED and SET ASIDE and its Decision dated 9 October 2002, ordering respondents to immediately pass a resolution for the payment of the balance of the court-adjudged compensation due petitioner, is REINSTATED.

Let a copy of this Decision be furnished the [CA] for its information and guidance in relation to CA-G.R. No. 86692 entitled Teresita M. Yujuico v. Hon. Jose L. Atienza, Jr., et al.

SO ORDERED.[23] (Emphasis Ours)

The Court's ruling in G.R. No. 164282 eventually attained finality, and an Entry of Judgment was issued on February 8, 2006.[24] On April 25, 2006, Teresita again moved for the execution of judgment, which the CSB opposed.[25] The trial court denied the CSB's opposition and granted Teresita's motion. In its Order dated June 6, 2006, the RTC directed the issuance of a writ of execution,[26] which ordered the sheriff of Branch 15, RTC of Manila to execute the judgment.[27]

In the meantime, on October 16, 2007, the CSB issued Resolution No. 700, series of 2007, which resolved to pay the amount of Php37,809,345.47 to Teresita as complete payment for the expropriation of the subject property.[28]

Following this resolution, a Notice of Garnishment dated January 11, 2008 was sent to the Land Bank, YMCA Branch, addressed to the attention of Branch Manager Isidro, garnishing CSB's properties in the possession of the bank.[29] On January 17, 2008, a Sheriff's Report was issued stating that neither the Land Bank nor Isidro, has replied to the order of garnishment.[30]

Notably, prior to the issuance of the sheriff's report, the Assistant Vice President of Land Bank, Atty. Rosemarie M. Osoteo (Atty. Osoteo), sent a letter dated January 16, 2008 to the sheriff, in response to the notice of garnishment. In this letter, Atty. Osoteo informed the sheriff that the CSB "does not have any existing garnishable/leviable account, property or asset with [Land Bank, YMCA Branch] as of this date." [31] Atty. Osoteo further stated that despite the issuance of Resolution No. 700, they have no record of any deposit account in the name of the City of Manila that was opened for purposes of paying the claim. She likewise informed the sheriff that the Notice of Garnishment was referred to the City of Manila for appropriate action.[32]

Having failed to obtain the payment of just compensation, Teresita filed a Motion for Examination pursuant to Sections 36 to 38, Rule 39 of the Rules of Court.[33] The trial court granted the motion in its Order[34] dated February 11, 2008.

The examination proceeded on February 28, 2008. During this hearing, Isidro testified that upon receiving the Notice of Garnishment dated January 11, 2008, he referred the matter to the Land Bank Litigation Department.[35] Isidro further stated that the City of Manila maintained an account with the YMCA Branch, which was denominated as the Special Education Fund (SEF), an account separate from the General Fund.[36]

On April 28, 2008, the trial court issued an Order directing the Land Bank, YMCA Branch to apply the amount stated in CSB Resolution No. 700 for the satisfaction of the award of just compensation to Teresita, viz.:

Considering that the [CSB] had already issued Resolution No. 700 Series of 2007, approving the release of P37,809,345.47 for the expropriation of the 2,834.1[-sq-m] lot currently occupied by the Francisco Benitez Elementary School, the branch manager of Land Bank YMCA Branch is hereby directed to apply the said amount to the satisfaction of the judgment in this case pursuant to Section 40, Rule 39 of the Rules of Court.

SO ORDERED.[37]

On April 30, 2008, the sheriff issued a Notice to Deliver Amount of Judgment and/or Follow Up in Garnishment, addressed to the Manager of the Land Bank, YMCA Branch.[38]

On the same day, the sheriff attempted to serve a copy of the Order dated April 28, 2008 and the Notice dated April 30, 2008 to Isidro. Since Isidro was out of their office at that time, the sheriff made a second attempt to personally serve the order on May 2, 2008.[39]

On May 5, 2008, the OCLO of Manila, through Atty. Renato G. Dela Cruz (Atty. Dela Cruz), sent a letter to

Isidro in reference to the garnishment of the City of Manila's SEF.[40] Atty. Dela Cruz stated in his letter that the disbursement of funds cannot be allowed unless the certificates of title over the subject property are transferred in the name of the City of Manila. Since Teresita supposedly refused to surrender the owner's duplicate copy of the titles, the City of Manila was compelled to stop the order of payment. Atty. Dela Cruz further stated that the local officials concerned may be held liable if the payment or the garnishment of the amount should push through without the prior transfer of the title.[41]

Consequently, the Land Bank, through Atty. Osoteo, replied to the sheriff in a letter dated May 7, 2008. Atty. Osoteo stated that since the subject funds are public property, the account of the City of Manila may not be garnished.[42] Also, considering the earlier objections of the OCLO of Manila, Atty. Osoteo informed the sheriff that they cannot release the amount of Php 37,809,345.47. The sheriff was then advised to coordinate with the City of Manila for this purpose.[43]

Failing again to execute the judgment, the sheriff submitted his report dated May 8, 2008, which stated that Isidro refused to comply with the order unless there is a specific direction from the OCLO of Manila.[44] Unsatisfied with the action of Land Bank, Teresita filed a Petition for Indirect Contempt dated May 15, 2008, impleading Isidro in his capacity as the Branch Manager of the Land Bank, YMCA Branch.[45] She argued that Isidro unjustifiably failed to comply with the lawful orders of the trial court directing the payment of just compensation in her favor. Teresita thus prayed to hold Isidro liable for indirect contempt and for the award of damages in the amount of Php 500,000.00.[46]

Isidro filed his Comment on June 26, 2008.[47] Thereafter, the trial court conducted oral arguments on the petition for indirect contempt on June 30, 2008.[48] The parties were also granted 30 days to submit their respective memoranda.[49]

Ruling of the RTC

After the submission of their memoranda, the RTC promulgated its Decision[50] dated November 3, 2008, granting the petition for indirect contempt:

WHEREFORE, premises considered, judgment is hereby rendered finding [ISIDRO], Branch Head of Land Bank-YMCA Branch, Guilty of indirect contempt under Sections 3(b) and (d), Rule 71 of the Rules of Court. He is hereby ordered to pay a fine of Thirty Thousand Pesos (P30,000.00) upon the finality of this judgment.

[Isidro] is also ordered to pay attorney's fees in the amount of P30,000.00 plus costs of suit.

SO ORDERED.[51]

The trial court ruled that there was no justifiable reason for the Land Bank, YMCA Branch, through its Branch Manager Isidro, to refuse compliance with the order of payment of just compensation.[52] The City of Manila already has an existing fund with the Land Bank for this purpose.[53] Isidro therefore should have complied with the directive to release the amount to Teresita.

Disagreeing with the decision of the RTC, Isidro moved for the reconsideration of its Decision dated November 3, 2008.

Pending the resolution of Isidro's motion in the indirect contempt case, a Notice of Garnishment/Follow-up in Garnishment and/or to Deliver Amount of Judgment dated November 5, 2008, was again sent to Isidro in relation to the mandamus case.[54] This was soon followed by a Sheriff's Notice to Deliver Money Judgment on November 19, 2008.[55]

When the sheriff failed to secure the payment of just compensation, he submitted his report dated November 20,

2008 to the trial court where he observed that:

On this date, November 20, 2008, in accompany of Mr. Roberto Dayao (sic), [Teresita's] authorized representative, we talked anew with [Isidro], in his office (Land Bank) and demanded compliance to the notice of garnishment (Annex "A") and Notice to Deliver Money Judgment (Annex "B")

However, [Isidro] categorically stated that the ball of contention is no longer in his hands but with the City of Manila (sic). He further averred that every legal process served upon him, appertaining to this case is always being elevated to their Litigation Department and that office in return, will coordinate with the City Legal Officers. He averred furthermore that they have office procedures that are being followed and he will only act if there is an approval from their counsel and the City of Manila.[56]

Prompted by the continued inability of Isidro to satisfy the judgment award in her favor, Teresita filed a Motion for the Issuance of a Warrant of Arrest in the indirect contempt case.[57] The trial court denied this motion in its Order[58] dated January 8, 2009.

Meanwhile, in a letter dated December 19, 2008, the City Treasurer of Manila, Erlinda O. Marteja, sent a letter to Isidro allowing the release of Php 37,809,348.47, thus:

Notably, the Court has ruled on the original expropriation case as far back as June 30, 2000 (Civil Case No. 96-79699) awarding the properties to the City and ordered the payment of just compensation in favor of [Teresita]. Both decisions have become final and executory.

We are likewise aware that due to non-payment of the outstanding balance, you were adjudged guilty of indirect contempt for your much appreciated gallant refusal to comply with the orders of the Court to release the judgment amount.

Inasmuch as the [CSB] has Passed Resolution No. 700 s. 2007 approving the release of [P37,809,345.47] from the [SEF] Account representing the unsettled balance still due to [Teresita] and in light of the fact that there exist[s] no more valid legal impediment to the payment of just compensation as declared by the Court, this Office concurs with your initiative as the most prudent recourse in faithful compliance with the judicial mandate.[59]

Soon after, Isidro transmitted a manager's check for the amount of Php 37,809,345.47 to the trial court, in compliance with its Order dated April 28, 2008 and the Sheriffs Notice to Deliver Money Judgment dated November 19, 2008.[60]

On January 8, 2009, Isidro filed an Urgent Manifestation with Motion for Leave to File Attached Supplemental Motion for Reconsideration, informing the trial court that it has released the foregoing amount in satisfaction of the award of just compensation to Teresita.[61] By virtue of said compliance, Isidro thus argued that the present petition for indirect contempt was rendered moot and academic.[62]

Unfortunately, prior to Isidro's filing of the supplemental motion for reconsideration, the trial court had denied Isidro's motion for reconsideration in an Order[63] dated January 6, 2009.

Ruling of the CA

Isidro appealed the adverse ruling to the CA.[64] After the filing of the parties' respective briefs,[65] the CA issued its challenged Decision[66] dated December 8, 2011, dismissing the appeal:

WHEREFORE, the instant appeal is DISMISSED for lack of merit and the Decision dated November 3, 2008 of the [RTC] of Manila, Branch 37, in Civil Case No. 08-119278 is AFFIRMED IN TOTO.

SO ORDERED.[67]

The CA rejected the argument of Isidro that the proceedings have been rendered moot by his subsequent compliance with the directive of the trial court. According to the CA, the liability for contempt already attached when Isidro disobeyed the order of the trial court.[68]

In light of the CA's decision affirming the judgment of the trial court, Isidro appealed to the Court via a Rule 45 petition. Isidro is arguing that as a depositary bank, Land Bank had no authority to determine which of the accounts belonging to the City of Manila were appropriated for the satisfaction of the judgment obligation.[69] He also invokes the exercise of good faith on his part, having merely observed the bank's procedure in dealing with notices of garnishment.[70] Finally, Isidro argues that the petition for indirect contempt already became moot and academic by the subsequent satisfaction of the order directing the release of the amount to Teresita.[71]

In essence, this Court is faced with the issue on whether the CA committed a reversible error in dismissing the appeal of Isidro from the judgment finding him liable for indirect contempt.

Ruling of the Court

For reasons discussed below, the Court grants the petition.

The actions of the petitioner are not contumacious.

At the onset, it bears stressing that the power to punish for contempt is inherent in all courts for purposes of preserving order in judicial proceedings and enforcing the court's judgments, orders and mandates.[72] In this regard, the Court has defined contempt as follows:

Contempt of court has been defined as a willful disregard or disobedience of a public authority. In its broad sense, contempt is a disregard of, or disobedience to, the rules or orders of a legislative or judicial body or an interruption of its proceedings by disorderly behavior or insolent language in its presence or so near thereto as to disturb its proceedings or to impair the respect due to such a body. In its restricted and more usual sense, contempt comprehends a despising of the authority, justice, or dignity of a court. The phrase contempt of court is generic, embracing within its legal signification a variety of different acts.[73]

Contempt may be either civil or criminal in nature, depending on the contumacious act. When the act is directed against the authority and dignity of the court or a judge acting judicially, or when it obstructs the administration of justice and tends to bring the court into disrepute or disrespect—the contempt is criminal. But if the act constitutes a failure to comply with an order of a court or judge for the benefit of the opposing party, or an offense against the party in whose behalf the violated order was made—the contempt is civil in nature. In other words, contempt is criminal when its purpose is to punish, but it is civil if the purpose is to compensate.[74]

Despite the inherent nature of the power to cite in contempt, courts are constantly reminded that this should be exercised in the preservative, not on the vindictive, principle. As a drastic and extraordinary measure, the power to punish for contempt must be exercised only when necessary in the interest of justice.[75]

In this case, Isidro was cited in indirect contempt of court for initially failing to comply with the directive to release the amount representing the payment of just compensation to Teresita. Isidro justified his failure to obey by citing the bank's policy of referring the garnishment of accounts to the Land Bank, Litigation Department.[76] He argued that as a mere branch manager of the YMCA Branch, he was duty bound to refer the garnishment to the Litigation Department for appropriate action.[77]

The records indeed show that when Isidro received the notices of garnishment from the sheriff, he exerted efforts to coordinate with the City of Manila—as the primary judgment obligor liable for the payment of just compensation, and with the Land Bank, Litigation Department—as the garnishment concerns a legal issue with one

of the bank's account holder.

In response, the OCLO of Manila sent a letter to Isidro on November 29, 2007, categorically instructing Isidro not to release any amount pursuant to the Notice of Garnishment.[78] In another letter dated May 5, 2008, the OCLO of Manila also again advised Isidro that there was a stop order for the release of the payment to Teresita because she lacked several documentary requirements for the disbursement of the SEF.[79]

The Land Bank, Litigation Department also responded to the sheriff's notices of garnishment accordingly:

- With respect to the Notice of Garnishment dated January 11, 2008,[80] the Land Bank, Litigation Department sent a letter dated January 16, 2008, which stated that the CSB has no existing garnishable/leviable account, property or asset with the YMCA Branch. It further stated that despite the existence of Resolution No. 700 approving the release of Php 37,809,345.47, the City of Manila does not maintain any deposit account intended for the payment of the claim. The Land Bank thus referred the notice to the City of Manila for appropriate action.[81]

- As regards the Sheriff's Notice to Deliver Amount of Judgment and/or Follow Up in Garnishment dated April 30, 2008,[82] the Land Bank, Litigation Department replied through a letter dated May 7, 2008. In this letter, the sheriff was informed that the City Legal Officer of Manila advised Land Bank regarding its objection to the garnishment of its funds. For this reason, Land Bank maintained that it cannot accede to the release of the amount.[83]

By virtue of the instructions of the City of Manila, and relying on the advice of the Land Bank, Litigation Department, Isidro—the manager of the branch where the City of Manila maintained its account—necessarily refused to release the money of its depositor to the sheriff. The fiduciary nature of banking requires banks to observe high standards of integrity when dealing with the accounts of its depositors. The Court has always enjoined banks to treat its depositors' accounts with meticulous care—evidently obliging banks to exercise a degree of diligence higher than that of a good father of a family.[84] This duty, of course, extends to the bank's employees, and banks, in turn, must ensure that their employees observe the same high level of integrity and performance.[85]

Verily, Isidro was guided by this standard when he explained his inability to comply with the notices of garnishment to the sheriff. Isidro could not have been expected to unceremoniously part with the money of Land Bank's depositors, especially when it involves the public funds of a local government unit. As an employee of Land Bank, Isidro was fundamentally responsible for the account of the City of Manila, and making sure that any disbursement is in order.

Under these circumstances, Isidro's exercise of prudence is warranted. The account of the City of Manila involves public funds, which is ordinarily exempt from execution.[86] As such, there was no deliberate or unjustified refusal on the part of Isidro to comply with the trial court's directive to release the amount in Teresita's favor. Isidro clearly acted in good faith, without intending to disregard the dignity of the trial court.[87]

Furthermore, Isidro's good faith is clearly manifest in the fact that he wasted no time in preparing the manager's check for the amount of Php37,809,345.47,[88] immediately after the City Treasurer of Manila acceded to its release in a letter dated December 19, 2008.[89] He also transmitted this check to the trial court,[90] and informed the sheriff of this development straightaway.[91]

Considering the absence of willful disobedience or an obstinate refusal on the part of Isidro, the Court does not find Isidro guilty of indirect contempt. His reasons for failing to immediately comply with the directive of the trial court were sufficiently justified. As a corrective, not a retaliatory, measure, courts should refrain from exercising

this power lacking any deliberate attack or disrespect on the court's dignity.

The Court remains guided by the principle that the power of contempt is exercised only when there is clear and contumacious refusal to obey the courts. Courts should use the power of contempt sparingly, judiciously, and with utmost self-restraint.[92]

The government should take measures in ensuring the prompt and judicious payment of just compensation in expropriation proceedings.

The Court understands the predicament of registered owners of parcels of land, which are expeditiously expropriated by the government without immediate payment of just compensation. More often than not, the former owners are left holding the bag, with no other recourse but to remain patient in recovering the award of just compensation. The Court in no less than *Yujuico v. Atienza, Jr., et al.*, [93] which significantly cited older jurisprudence on this matter, recognized the prejudice this causes Teresita and other owners similarly-situated:

While this Court recognizes the power of LGU to expropriate private property for public use, it will not stand idly by while the expropriating authority maneuvers to evade the payment of just compensation of property already in its possession.

The notion of expropriation is hard enough to take for a private owner. He is compelled to give up his property for the common weal. But to give it up and wait in vain for the just compensation decreed by the courts is too much to bear. In cases like these, courts will not hesitate to step in to ensure that justice and fair play are served. As we have already ruled:

. . . This Court will not condone petitioners' blatant refusal to settle its legal obligation arising from expropriation proceedings it had in fact initiated. It cannot be over-emphasized that within the context of the States inherent power of eminent domain,

. . . (j)ust compensation means not only the correct determination of the amount to be paid to the owner of the land but also the payment of the land within a reasonable time from its taking. Without prompt payment, compensation cannot be considered just for the property owner is made to suffer the consequence of being immediately deprived of his land while being made to wait for a decade or more before actually receiving the amount necessary to cope with his loss (*Consculluela v. The Honorable Court of Appeals*, G.R. No. 77765, August 15, 1988, 164 SCRA 393, 400. See also *Provincial Government of Sorsogon v. Vda. De Villaroya*, G.R. No. 64037, August 27, 1987, 153 SCRA 291).[94] (Emphasis Ours)

In this particular case, the Court would be remiss not to notice the circuitous manner by which the City of Manila delayed the payment of just compensation to the prejudice of Teresita, and collaterally, Isidro. Hidden under the guise of bureaucratic processes, both parties in this case suffered from the delay in the payment of just compensation long due and demandable from the local government unit. The expropriating agency or instrumentality, therefore, should make sure that the funds for the payment of just compensation are always readily available.

The government should bear in mind that due process considerations in the exercise of the State's inherent power of eminent domain is two-fold: (1) the determination of the correct amount of compensation for the taking of the property; and (2) the prompt payment of such amount within a reasonable time from its taking.[95] There should be compliance with both requirements; otherwise, the guarantee of due process would be an empty right.[96]

WHEREFORE, premises considered, the present petition is hereby GRANTED. The Decision dated December 8, 2011 of the Court of Appeals in CA-G.R. CR No. 32900 is REVERSED and SET ASIDE. The Regional Trial Court of Manila, Branch 37 is directed to dismiss the petition for indirect contempt in SPL. Proc. No. 08-119278. No costs.

SO ORDERED.

Perlas-Bernabe (Acting Chairperson), Jardeleza,[*] and J. Reyes, Jr.,[**] JJ., concur.
Caguioa, J., on leave.

[*] Designated as Additional Member per Raffle dated February 28, 2018 vice Associate Justice Antonio T. Carpio.

[**] Designated as additional Member per Special Order No. 2587 dated August 28, 2018.

[1] Rollo, pp. 10-36.

[2] Penned by Associate Justice Ramon M. Bato, Jr., with Associate Justices Josefina Guevara-Salonga and Florito S. Macalino concurring; id. at 41-54.

[3] Id. at 55-68.

[4] Id. at 358-361.

[5] Id. at 364-368.

[6] Id. at 358.

[7] Id. at 369.

[8] Id. at 379-393.

[9] Id. at 394-395.

[10] Yujuico v. Hon. Atienza, Jr., 509 Phil. 442, 452 (2005).

[11] Id.

[12] Id. at 453.

[13] Id.; rollo, pp. 151-152.

[14] Yujuico v. Hon. Atienza, Jr., id.; rollo, pp. 152-153.

[15] Rollo, pp. 149-159.

[16] Id. at 158.

[17] Id. at 160-162.

[18] Id. at 162.

[19] Id. at 75.

[20] Id. at 122-123; see also Yujuico v. Hon. Atienza, Jr., supra note 10, at 456-457.

[21] Rollo, p. 123.

[22] Yujuico v. Hon. Atienza, Jr., supra note 10, at 462.

[23] Id. at 469.

[24] Rollo, pp. 178-179.

- [25] Id. at 181-188.
- [26] Id. at 192-194.
- [27] Id. at 195-199.
- [28] Id. at 200-201.
- [29] Id. at 202-203.
- [30] Id. at 204-205.
- [31] Id. at 83.
- [32] Id.
- [33] Id. at 84-88.
- [34] Id. at 90.
- [35] Id. at 235.
- [36] Id. at 239.
- [37] Id. at 91.
- [38] Id. at 113-114.
- [39] Id. at 109-110.
- [40] Id. at 784-786.
- [41] Id. at 786.
- [42] Id. at 312-313.
- [43] Id. at 313.
- [44] Id.
- [45] Id. at 92-105.
- [46] Id. at 105.
- [47] Id. at 255-261.
- [48] Id. at 1049-1106.
- [49] Id. at 1106.
- [50] Rendered by Presiding Judge Virgilio V. Macaraig; id. at 55-68.
- [51] Id. at 68.
- [52] Id. at 59.
- [53] Id. at 64.
- [54] Id. at 278-280.
- [55] Id. at 276-277.

[56] Id. at 859.

[57] Id. at 281-290.

[58] Id. at 305-306.

[59] Id. at 292.

[60] Id. at 291, 297.

[61] Id. at 293-294.

[62] Id. at 300.

[63] Id. at 307.

[64] Id. at 308.

[65] Id. at 899-934, 951-996.

[66] Id. at 41-54.

[67] Id. at 53.

[68] Id. at 52-53.

[69] Id. at 26.

[70] Id. at 27-28.

[71] Id. at 29-32.

[72] *Bank of the Philippine Islands v. Labor Arbiter Calanza, et al.*, 647 Phil. 507, 514 (2010), citing *Inonog v. Judge Ibay*, 611 Phil. 558, 568 (2009).

[73] *Lorenzo Shipping Corporation, et al. v. Distribution Management Assn. of the Phils., et al.*, 672 Phil. 1, 10 (2011).

[74] *Burgos v. Pres. Macapagal-Arroyo, et al.*, 668 Phil. 669, 721 (2011).

[75] *Radio Philippines Network, Inc., et al. v. Yap, et al.*, 692 Phil. 288, 309 (2012).

[76] *Rollo*, p. 258.

[77] Id. at 27.

[78] Id. at 787.

[79] Id. at 784.

[80] Id. at 81-82.

[81] Id. at 83.

[82] Id. at 113-114.

[83] Id. at 312-313.

[84] *Central Bank of the Philippines v. Citytrust Banking Corp.*, 597 Phil. 609, 615 (2009), citing *The Consolidated Bank and Trust Corp. v. CA*, 457 Phil. 688, 702 (2003).

[85] Westmont Bank v. Dela Rosa-Ramos, et al. 698 Phil. 23, 31 (2012).

[86] Rallos v. City of Cebu, et al., 716 Phil. 832, 853 (2013); See University of the Phils., et al. v. Judge Dizon, et al., 693 Phil. 226, 253 (20 12); See also Star Special Watchman and Detective Agency, Inc., et al. v. Puerto Princesa City, et al., 733 Phil. 62, 75 (2014).

[87] Gateway Electronics Corp. v. Land Bank of the Phils., 455 Phil. 196, 209 (2003).

[88] Rollo, p. 291.

[89] Id. at 292.

[90] Id. at 297.

[91] Id. at 298.

[92] Heirs of Justice Reyes v. Court of Appeals, 392 Phil. 827, 843 (2000).

[93] 509 Phil. 442 (2005).

[94] Id. at 467-468.

[95] Republic v. Lim, 500 Phil. 652, 659-660 (2005).

[96] See Brgy. Sindalan, San Fernando, Pampanga, rep. by Brgy. Capt. Gutierrez v. CA, 547 Phil. 542, 554-555 (2007).

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