

**BANK OF COMMERCE, PETITIONER, VS. JOAQUIN T. BORROMELO,
RESPONDENT.***G.R. No. 205632. June 02, 2020*

Ponente: LEONEN, J.

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The end of litigation, upon the finality of judgment, is essential for the effective and efficient administration of justice. This Court is duty-bound to put an end to any machination, scheme, or measure taken by any party to defeat or frustrate the implementation of its decisions. All litigants are warned that this Court does not tolerate attempts to squander its time rehearing cases that are final and executory.

This is a Petition[1] filed by Bank of Commerce against Joaquin T. Borromeo (Borromeo), praying that this Court hold Borromeo in indirect contempt of court, pursuant to Section 3(b), (c), and (d)[2] of Rule 71 of the Rules of Court.

Borromeo was previously declared guilty of constructive contempt by this Court in its February 21, 1995 Resolution in *In Re: Borromeo*. [3]

From 1978 to 1980, Borromeo obtained several loans from Traders Royal Bank. [4] Among these was a P45,000.00 loan secured by a real estate mortgage for over two (2) lots in Cebu City covered by Transfer Certificates of Title Nos. 59596 and 59755. [5] A third Cebu City lot, under Transfer Certificate of Title No. 71509, also secured a loan taken out by Borromeo. [6] When Borromeo defaulted on his loans with Traders Royal Bank, the bank then foreclosed the mortgages, and eventually, the properties were sold to it. This led to protracted decades-long litigation between Traders Royal Bank and Borromeo, as extensively documented in *In Re: Borromeo*:

A. CIVIL CASES

1. RTC Case No. R-22506; CA G.R.

CV No. 07015; G.R. No. 83306

On October 29, 1982 Borromeo filed a complaint in the Cebu City Regional Trial Court for specific performance and damages against TRB and its local manager, Bias Abril, docketed as Civil Case No. R-22506. The complaint sought to compel defendants to allow redemption of the foreclosed properties only at their auction price, with stipulated interests and charges, without need of paying the obligation secured by the trust receipt above mentioned. Judgment was rendered in his favor on December 20, 1984 by Branch 23 of the Cebu City RTC; but on defendants' appeal to the Court of Appeals — docketed as CA-G.R. CV No. 07015 — the judgment was reversed, by the decision dated January 27, 1988. The Court of Appeals held that the "plaintiff (Borromeo) has lost his right of redemption and can no longer compel defendant to allow redemption of the properties in question."

Borromeo elevated the case to this Court where his appeal was docketed as G.R. No. 83306. By Resolution dated August 15, 1988, this Court's First Division denied his petition for review "for failure. . . to sufficiently show that the respondent Court of Appeals had committed any reversible error in its questioned judgment, it

appearing on the contrary that the said decision is supported by substantial evidence and is in accord with the facts and applicable law." Reconsideration was denied, by Resolution dated November 23, 1988. A second motion for reconsideration was denied by Resolution dated January 30, 1989, as was a third such motion, by Resolution dated April 19, 1989. The last resolution also directed entry of judgment and the remand of the case to the court of origin for prompt execution of judgment. Entry of judgment was made on May 12, 1989. By Resolution dated August 7, 1989, the Court denied another motion of Borromeo to set aside judgment, and by Resolution dated December 20, 1989, the Court merely noted without action his manifestation and motion praying that the decision of the Court of Appeals be overturned, and declared that "no further motion or pleading . . . shall be entertained[.]"

2. RTC Case No. CEB 8750;
CA-G.R. SP No. 22356

The ink was hardly dry on the resolutions just mentioned before Borromeo initiated another civil action in the same Cebu City Regional Trial Court by which he attempted to litigate the same issues. The action, against the new TRB Branch Manager, Jacinto Jamero, was docketed as Civil Case No. CEB-8750. As might have been anticipated, the action was, on motion of the defense, dismissed by Order dated May 18, 1990, on the ground of *res judicata*, the only issue raised in the second action — i.e., Borromeo's right to redeem the lots foreclosed by TRB — having been ventilated in Civil Case No. R-22506 (Joaquin T. Borromeo vs. Bias C. Abril and Traders Royal Bank) (*supra*) and, on appeal, decided with finality by the Court of Appeals and the Supreme Court in favor of defendants therein.

The Trial Court's judgment was affirmed by the Court of Appeals in CA-G.R. SP No. 22356.

3. RTC Case No. CEB-9485;
CA-G.R. SP No. 28221

In the meantime, and during the pendency of Civil Case No. R-22506, TRB consolidated its ownership over the foreclosed immovables. Contending that that act of consolidation amounted to a criminal offense, Borromeo filed complaints in the Office of the City Prosecutor of Cebu against the bank officers and lawyers. These complaints were however, and quite correctly, given short shrift by that Office. Borromeo then filed suit in the Cebu City RTC, this time not only against the TRB, TRB officers Jacinto Jamero and Arceli Bustamante, but also against City Prosecutor Jufelinito Pareja and his assistants, Enriqueta Belarmino and Eva A. Igot, and the TRB lawyers, Mario Ortiz and the law firm, HERSINLAW. The action was docketed as Civil Case No. CEB-9485. The complaint charged Prosecutors Pareja, Belarmino and Igot with manifest partiality and bias for dismissing the criminal cases just mentioned; and faulted TRB and its manager, Jamero, as well as its lawyers, for consolidating the titles to the foreclosed properties in favor of the bank despite the pendency of Case No. R-22506. This action also failed. On defendants' motion, it was dismissed on February 19, 1992 by the RTC (Branch 22) on the ground of *res judicata* (being identical with Civil Case Nos. R-22506 and CEB-8750, already decided with finality in favor of TRB), and lack of cause of action (as to defendants Pareja, Belarmino and Igot).

Borromeo's certiorari petition to the Court of Appeals (CA G.R. SP No. 28221) was dismissed by that Court's 16th Division on October 6, 1992, for the reason that the proper remedy was appeal.

4. RTC Case No. CEB-10368;
CA-G.R.SP No. 27100

Before Case No. CEB-9845 was finally decided, Borromeo filed, on May 30, 1991, still another civil action for the same cause against TRB, its manager, Jacinto Jamero, and its lawyers, Atty. Mario Ortiz and the HERSINLAW law office. This action was docketed as Civil Case No. CEB-10368, and was described as one for "Recovery of Sums of Money, Annulment of Titles with Damages." The case met the same fate as the others. It was, on defendants' motion, dismissed on September 9, 1991 by the RTC (Branch 14) on the ground

of *litis pendentia*.

The RTC ruled that —

"Civil Case No. CEB-9485 will readily show that the defendants therein, namely the Honorable Jufelinito Pareja, Enriqueta Belarmino, Eva Igot, Traders Royal Bank, Arceli Bustamante, Jacinto Jamero, Mario Ortiz and HERSINLAW are the same persons or nearly all of them who are impleaded as defendants in the present Civil Case No. CEB-10368, namely, the Traders Royal Bank, Jacinto Jamero, Mario Ortiz and HERSINLAW. The only difference is that more defendants were impleaded in Civil Case No. CEB-9485, namely, City Prosecutor Jufelinito Pareja and his assistants, Enriqueta Belarmino and Eva Igot. The inclusion of the City Prosecutor and his two assistants in Civil Case No. CEB-9485 was however merely incidental as apparently they had nothing to do with the questioned transaction in said case[.]"

The Court likewise found that the reliefs prayed for were the same as those sought in Civil Case No. CEB-9485, and the factual bases of the two cases were essentially the same — the alleged fraudulent foreclosure and consolidation of the three properties mortgaged years earlier by Borromeo to TRB.

For some reason, the Order of September 9, 1991 was set aside by an Order rendered by another Judge on November 11, 1991 — the Judge who previously heard the case having inhibited himself; but this Order of November 11, 1991 was, in turn, nullified by the Court of Appeals (9th Division), by Decision promulgated on March 31, 1992 in CA-G.R. SP No. 27100 (Traders Royal Bank vs. Hon. Celso M. Gimenez, etc. and Joaquin T. Borromeo), which decision also directed dismissal of Borromeo's complaint.

5. RTC Case No. CEB-6452

When a new branch manager, Ronald Sy, was appointed for TRB, Cebu City, Borromeo forthwith made that event the occasion for another new action, against TRB, Ronald Sy, and the banks' attorneys — Mario Ortiz, Honorato Hermosisima, Jr., Wilfredo Navarro and HERSINLAW firm. This action was docketed as Civil Case No. CEB-6452, and described as one for "Annulment of Title with Damages." The complaint, dated October 20, 1987, again involved the foreclosure of the three (3) immovable above mentioned, and was anchored on the alleged malicious, deceitful, and premature consolidation of titles in TRB's favor despite the pendency of Civil Case No. 22506. On defendants' motion, the trial court dismissed the case on the ground of prematurity, holding that "(a)t this point... plaintiffs right to seek annulment of defendant Traders Royal Bank's title will only accrue if and when plaintiff will ultimately and finally win Civil Case No. R-22506."

6. RTC Case No. CEB-8236

Having thus far failed in his many efforts to demonstrate to the courts the "merit" of his cause against TRB and its officers and lawyers, Borromeo now took a different tack by also suing (and thus also venting his ire on) the members of the appellate courts who had ruled adversely to him. He filed in the Cebu City RTC, Civil Case No. CEB-8236, impleading as defendants not only the same parties he had theretofore been suing — TRB and its officers and lawyers (HERSINLAW Mario Ortiz) — but also the Chairman and Members of the First Division of the Supreme Court who had repeatedly rebuffed him in G.R. No. 83306 (SEE sub-head I, A, 1, *supra*), as well as the Members of the 8th, 9th and 10th Divisions of the Court of Appeals who had likewise made dispositions unfavorable to him. His complaint, dated August 22, 1989, aimed to recover damages from the defendant Justices for —

". . . maliciously and deliberately stating blatant falsehoods and disregarding evidence and pertinent laws, rendering manifestly unjust and biased resolutions and decisions bereft of signatures, facts or laws in support thereof, depriving plaintiff of his cardinal rights to due process and against deprivation of property without said process, tolerating, approving and legitimizing the patently illegal, fraudulent, and contemptuous acts of defendant TRB, (which) constitute a) GRAVE DERELICTION OF DUTY AND ABUSE OF POWER

emanating from the people, b) FLAGRANT VIOLATIONS OF THE CONSTITUTION, CARDINAL PRIMARY RIGHTS, DUE PROCESS, ART. 27, 32, CIVIL CODE, Art. 208, REV. PENAL CODE, and R.A. 3019, for which defendants must be held liable under said laws."

The complaint also prayed for reconveyance of the "fake titles obtained fraudulently by TRB/HERSINLAW," and recovery of "P100,000.00 moral damages; 30,000.00 exemplary damages; and P5,000.00 litigation expenses." This action, too, met a quick and unceremonious demise. On motion of defendants TRB and HERSINLAW, the trial court, by Order dated November 7, 1989, dismissed the case.

7. RTC Case No. CEB-13069

It appears that Borromeo filed still another case to litigate the same cause subject of two (2) prior actions instituted by him. This was RTC Case No. CEB-13069, against TRB and the latter's lawyers, Wilfredo Navarro and Mario Ortiz. The action was dismissed in an Order dated October 4, 1993, on the ground of *res judicata* — the subject matter being the same as that in Civil Case No. R-22506, decision in which was affirmed by the Court of Appeals in CA-G.R. CV No. 07015 as well as by this Court in G.R. No. 83306 - and *litis pendentia* — the subject matter being also the same as that in Civil Case No. CEB-8750, decision in which was affirmed by the Court of Appeals in CA G.R. SP No. 22356.

8. RTC Criminal Case No. CBU-19344;

CA-G.R. SP No. 28275; G.R. No.

112928

On April 17, 1990 the City Prosecutor of Cebu City filed an information with the RTC of Cebu (Branch 22) against Borromeo charging him with a violation of the Trust Receipts Law. This case was docketed as Criminal Case No. CBU-19344. After a while, Borromeo moved to dismiss the case on the ground of denial of his right to a speedy trial. His motion was denied by Order of Judge Pampio A. Abarintos dated April 10, 1992. In the same order, His Honor set an early date for Borromeo's arraignment and placed the case "under a continuous trial system on the dates as may be agreed by the defense and prosecution." Borromeo moved for reconsideration. When his motion was again found without merit, by Order dated May 21, 1992, he betook himself to the Court of Appeals on a special civil action of *certiorari*, to nullify these adverse orders, his action being docketed as CA-G.R. SP No. 28275.

Here again, Borromeo failed. The Court of Appeals declared that the facts did not show that there had been unreasonable delay in the criminal action against him, and denied his petition for being without merit.

Borromeo then filed a petition for review with this Court (G.R. No. 112928), but by resolution dated January 31, 1994, the same was dismissed for failure of Borromeo to comply with the requisites of Circulars Numbered 1-88 and 19-91. His motion for reconsideration was subsequently denied by Resolution dated March 23, 1994.

a. Clarificatory Communications to Borromeo Re "Minute Resolutions"

He next filed a Manifestation dated April 6, 1994 calling the Resolution of March 23, 1994 "Un-Constitutional, Arbitrary and Tyrannical and a Gross Travesty of 'Justice,'" because it was "signed only by a mere clerk and. . . (failed) to state clear facts and law," and "the petition was not resolved on MERITS nor by any Justice but by a mere clerk."

The Court responded with another Resolution, promulgated on June 22, 1994, and with some patience drew his attention to the earlier resolution "in his own previous case (Joaquin T. Borromeo vs. Court of Appeals and Samson Lao, G.R. No. 82273, 1 June 1990; 186 SCRA 1) and on the same issue he now raises." Said Resolution of June 22, 1994, after reiterating that the notices sent by the Clerk of Court of the Court En Banc or any of the

Divisions simply advise of and quote the resolution actually adopted by the Court after deliberation on a particular matter, additionally stated that Borromeo "knew, as well, that the communications (notices) signed by the Clerk of Court start with the opening clause —

'Quoted hereunder, for your information, is a resolution of the First Division of this Court dated_____,'

thereby indisputably showing that it is not the Clerk of Court who prepared or signed the resolutions. ["]

This was not, by the way, the first time that the matter had been explained to Borromeo. The record shows that on July 10, 1987, he received a letter from Clerk of Court Julieta Y. Carreon (of this Court's Third Division) dealing with the subject, in relation to G.R. No. 77243. The same matter was also dealt with in the letter received by him from Clerk of Court Luzviminda D. Puno, dated April 4, 1989, and in the letter to him of Clerk of Court (Second Division) Fermin J. Garma, dated May 19, 1989. And the same subject was treated of in another Resolution of this Court, notice of which was in due course served on him, to wit: that dated July 31, 1989, in G.R. No. 87897.

B. CRIMINAL CASES

Mention has already been made of Borromeo's attempt — with "all the valor of ignorance" — to fasten not only civil, but also criminal liability on TRB, its officers and lawyers. Several other attempts on his part to cause criminal prosecution of those he considered his adversaries, will now be dealt with here.

1. I.S. Nos. 90-1187 and 90-1188

On March 7, 1990, Borromeo filed criminal complaints with the Office of the Cebu City Prosecutor against Jacinto Jamero (then still TRB Branch Manager), "John Doe and Officers of Traders Royal Bank." The complaints (docketed as I.S. Nos. 90-1187-88) accused the respondents of "Estafa and Falsification of Public Documents." He claimed, among others that the bank and its officers, thru its manager, Jacinto Jamero, sold properties not owned by them: that by fraud, deceit and false pretenses, respondents negotiated and effected the purchase of the (foreclosed) properties from his (Borromeo's) mother, who "in duress, fear and lack of legal knowledge," agreed to the sale thereof for only P671,000.00, although in light of then prevailing market prices, she should have received P588,030.00 more.

In a Joint Resolution dated April 11, 1990, the Cebu City Fiscal's office dismissed the complaint observing that actually, the Deed of Sale was not between the bank and Borromeo's mother, but between the bank and Mrs. Thakuria (his sister), one of the original owners of the foreclosed properties; and that Borromeo, being a stranger to the sale, had no basis to claim injury or prejudice thereby. The Fiscal ruled that the bank's ownership of the foreclosed properties was beyond question as the matter had been raised and passed upon in a judicial litigation; and moreover, there was no proof of the document allegedly falsified nor of the manner of its falsification.

a. I.S. Nos. 87-3795 and 89-4234

Evidently to highlight Borromeo's penchant for reckless filing of unfounded complaints, the Fiscal also adverted to two other complaints earlier filed in his Office by Borromeo - involving the same foreclosed properties and directed against respondent bank officers' predecessors (including the former Manager, Ronald Sy) and lawyers - both of which were dismissed for lack of merit. These were:

a. I.S. No. 87-3795 (JOAQUIN T. BORROMEO vs. ATTY. MARIO ORTIZ and RONALD SY) for "Estafa Through Falsification of Public Documents, Deceit and False Pretenses." — This case was dismissed by Resolution dated January 19, 1988 of the City Prosecutor's Office because based on nothing more than a letter dated June 4, 1985, sent by the Bank Manager Ronald Sy to the lessee of a portion of the foreclosed immovables, advising the latter to remit all rentals to the bank as the new owner thereof, as shown by the consolidated title; and there was

no showing that respondent Atty. Ortiz was motivated by fraud in notarizing the deed of sale in TRB's favor after the lapse of the period of redemption, or that Ortiz had benefited pecuniarily from the transaction to the prejudice of complainant; and

b. I.S. No. 89-4234 (JOAQUIN T. BORROMEIO vs. RONALD SY, ET AL.) for "Estafa Through False Pretenses and Falsification of Public Documents." — This case was dismissed by Resolution dated January 31, 1990.

2. I.S. Nos. 88-205 to 88-207

While Joaquin Borromeo's appeal (G.R. No. 83306) was still pending before the Supreme Court, an affidavit was executed in behalf of TRB by Arceli Bustamante, in connection with the former's fire insurance claim over property registered in its name — one of two immovables formerly owned by Socorro B. Thakuria (Joaquin T. Borromeo's sister) and foreclosed by said bank. In that affidavit, dated September 10, 1987, Bustamante stated that "On 24 June 1983, TRB thru foreclosure acquired real property together with the improvements thereon which property is located at F. Ramos St., Cebu City covered by TCT No. 87398 in the name of TRB." The affidavit was notarized by Atty. Manuelito B. Inso.

Claiming that the affidavit was "falsified and perjurious" because the claim of title by TRB over the foreclosed lots was a "deliberate, wilful and blatant falsehood in that, among others: . . . the consolidation was premature, illegal and invalid," Borromeo filed a criminal complaint with the Cebu City Fiscal's Office against the affiant (Bustamante) and the notarizing lawyer (Atty. Inso) for "falsification of public document, false pretenses, perjury." On September 28, 1988, the Fiscal's Office dismissed the complaint. It found no untruthful statements in the affidavit or any malice in its execution, considering that Bustamante's statement was based on the Transfer Certificate of Title in TRB's file, and thus the document that Atty. Inso notarized was legally in order.

3. OMB-VIS-89-00136

This Resolution of this Court (First Division) in G.R. No. 83306 dated August 15, 1988 — sustaining the judgment of the Court of Appeals (10th Division) of January 27, 1988 in CA-G.R. CV No. 07015, *supra*, was made the subject of a criminal complaint by Borromeo in the Office of the Ombudsman, Visayas, docketed as OMB-VIS-89-00136. His complaint — against "Supreme Court Justice (First Div.) and Court of Appeals Justice (10th Div.)" — was dismissed for lack of merit in a Resolution issued on February 14, 1990 which, among other things, ruled as follows:

"It should be noted and emphasized that complainant has remedies available under the Rules of Court, particularly on civil procedure and existing laws. It is not the prerogative of this Office to make a review of Decisions and Resolutions of judicial courts, rendered within their competence. The records do not warrant this Office to take further proceedings against the respondents.

In addition, Sec. 20 of R.A. 6770, the Ombudsman Act states that 'the Office of the Ombudsman may not conduct the necessary investigation of any administrative act or omission complained of if it believes that (1) the complainant had adequate remedy in another judicial or quasi-judicial body;' and Sec. 21 of the same law provides that the Office of the Ombudsman does not have disciplinary authority over members of the Judiciary." [7] (Citations omitted, emphasis in the original)

As observed by this Court in *In Re: Borromeo*, Borromeo waged similar campaigns against United Coconut Planters Bank,[8] Security Bank & Trust Co.,[9] their lawyers,[10] and the Judiciary[11] culminating in at least 50 cases over the course of 16 years.

Because of his history of "groundless and insulting proceedings"[12] in and against the courts, in 1995, this Court found Borromeo guilty of constructive contempt. He was sentenced to 10 days imprisonment and ordered to pay a

P1,000.00 fine:

Considering the foregoing antecedents and long standing doctrines, it may well be asked why it took no less than sixteen (16) years and some fifty (50) grossly unfounded cases lodged by respondent Borromeo in the different rungs of the Judiciary before this Court decided to take the present administrative measure. The imposition on the time of the courts and the unnecessary work occasioned by respondent's crass adventurism are self-evident and require no further elaboration. If the Court, however, bore with him with Jobian patience, it was in the hope that the repeated rebuffs he suffered, with the attendant lectures on the error of his ways, would somehow seep into his understanding and deter him from further forays along his misguided path. After all, as has repeatedly been declared, the power of contempt is exercised on the preservative and not the vindictive principle. Unfortunately, the Court's forbearance had no effect on him.

Instead, the continued leniency and tolerance extended to him were read as signs of weakness and impotence. Worse, respondent's irresponsible audacity appears to have influenced and emboldened others to just as flamboyantly embark on their own groundless and insulting proceedings against the courts, born of affected bravado or sheer egocentrism, to the extent of even involving the legislative and executive departments, the Ombudsman included, in their assaults against the Judiciary in pursuit of personal agendas. But all things, good or bad, must come to an end, and it is time for the Court to now draw the line, with more promptitude, between reasoned dissent and self-seeking pretense. The Court accordingly serves notice to those with the same conceit or delusions that it will henceforth deal with them, decisively and fairly, with a firm and even hand, and resolutely impose such punitive sanctions as may be appropriate to maintain the integrity and independence of the judicial institutions of the country.

WHEREFORE, Joaquin T. Borromeo is found and declared GUILTY of constructive contempt repeatedly committed over time, despite warnings and instructions given to him, and to the end that he may ponder his serious errors and grave misconduct and learn due respect for the Court and their authority, he is hereby sentenced to serve a term of imprisonment of TEN (10) DAYS in the City Jail of Cebu City and to pay a fine of ONE THOUSAND PESOS (P1,000.00). He is warned that a repetition of any of the offenses of which he is herein found guilty, or any similar or other offense against courts, judges or court employees, will merit further and more serious sanctions.

IT IS SO ORDERED.[13]

In 2001, Bank of Commerce acquired assets from Traders Royal Bank through a Purchase and Sale Agreement.[14] Among the acquired assets were the properties covered by Transfer Certificates of Title Nos. 59596, 59755, and 71509—Borromeo's foreclosed properties.[15]

On February 22, 2013, Bank of Commerce filed a Petition[16] against Borromeo, praying that this Court cite him for indirect contempt.

In its Petition, petitioner alleges that respondent instituted proceedings against petitioner's officials, namely:

1.

A 2011 criminal complaint for estafa against Bank of Commerce officers Arturo T. Medrano, Maximo V. Estrada, and Roy Damole, filed with the Office of the Cebu City Prosecutor, docketed as NPS Docket No. VII-09-INV-11-F-00918.[17] The complaint was dismissed because the properties were no longer owned by respondent,[18] and that respondent's motion for reconsideration was denied in 2012.[19]

2.

A January 20, 2012 criminal case (NPS Docket No. VII-09-INV- 12A-00129) for perjury against the same three

(3) Bank of Commerce officials, filed with the Office of the Cebu City Prosecutor[20] because of the Joint Counter-Affidavit[21] filed by the three (3) in the estafa case. The complaint was dismissed because the officers did not commit perjury when they stated that respondent had failed to redeem the foreclosed properties.[22] After respondent's motion for reconsideration was denied,[23] he then filed an Appeal before the Office of the Regional State Prosecutor, Cebu City;[24]

3.

An April 12, 2012 criminal case for perjury against the same Bank of Commerce officers, docketed as NPS Docket No. VII-09-INV- 12-D-00628.[25] This time, the complaint was based on the Joint Counter-Affidavit[26] filed by the three (3) in the January 2012 perjury case. The complaint was again dismissed by the Office of the City Prosecutor;[27] and

4.

A case against the Cebu City Registrar of Deeds before the Office of the Ombudsman for the Visayas, docketed as CPL-V-12-0296, for allegedly failing to cancel the "patently fake titles" of United Coconut Planters Bank, Traders Royal Bank, and Bank of Commerce.[28]

According to petitioner, these new cases showed that respondent was doing the same acts that had previously led him to be held in contempt by this Court.[29] His repetitive filing of cases all founded on the same transactions, with issues already resolved by the courts, should be deemed contempt of court under the Rule 71, Section 3(c) and (d) of the Rules of Court.[30]

In compliance with this Court's April 1, 2013 Resolution,[31] respondent then filed his Comment[32] on May 31, 2013. In his Comment, respondent claims that the Petition was intended to intimidate him from filing cases to protect his and his family's properties. He claims that petitioner deliberately concealed the fact that he had already tendered payment to Traders Royal Bank, but that Traders Royal Bank rejected his payment and furtively executed a deed of sale in its favor.[33]

On October 7, 2013, petitioner filed its Reply to the Comment.[34] In its Reply, petitioner points out that respondent filed another perjury case with the Office of the Cebu City Prosecutor against Estrada, Corazon T. Llagas, and Honorato Hermosissima, Jr. (the bank's counsel), docketed as I.S. No. 13-G-01296.[35] Petitioner claims that the perjury case was retaliation for the delivery of possession of the property covered by Transfer Certificate of Title No. 87399, previously owned by respondent, to petitioner.[36]

On March 17, 2014, this Court resolved to give due course to the Petition and ordered the parties to file their Memoranda.[37] Petitioner filed its Memorandum on June 4, 2014,[38] while respondent filed his on June 2, 2014.[39]

In its Memorandum, petitioner also points to a petition for certiorari under Rule 65 filed by respondent with the Court of Appeals, docketed as CA-G.R. SP No. 07751.[40] The petition for certiorari assailed the grant by Regional Trial Court Judge Sylva Paderanga of a writ of possession in favor of petitioner, in, the course of an ex parte petition for the issuance of a writ of possession.[41] Again, the properties involved were respondent's, which petitioner acquired from Traders Royal Bank. The Court of Appeals dismissed the petition for certiorari on its September 19, 2013 Decision.[42]

In his Memorandum, respondent argues that he filed the new cases against petitioner's officers and counsel

because they kept falsely claiming that he failed to redeem the properties from Traders Royal Bank.[43] He points to the Decision of the Court of Appeals in CA-G.R. CV No. 07015, which he claims affirmed that he had redeemed the properties.[44]

Further, he argues that, since he was already declared guilty of constructive contempt in *In Re: Borromeo*, he cannot be cited in contempt again, as this would violate the right against double jeopardy in Article III, Section 21 of the Constitution. Finally, he claims that petitioner's officials and counsel should be held liable for contempt.[45]

The sole issue to be resolved by this Court is whether or not respondent should be cited in indirect contempt of court.

As a preliminary matter, this Court notes that, on January 4, 2020, respondent filed a motion to refer this case for mediation and conciliation.[46] In his motion, respondent claims that this case is covered by court-annexed mediation pursuant to A.M. No. 11-1-6-SC-PHILJA, and that he and petitioner's counsel were negotiating towards an amicable settlement of their dispute.

This motion is denied.

Under A.M. No. 11-1-6-SC-PHILJA, otherwise known as the Consolidated and Revised Guidelines to Implement the Expanded Coverage of Court-Annexed Mediation and Judicial Dispute Resolution, the following cases are under the mandatory coverage of court-annexed mediation and judicial dispute resolution:

- (1) All civil cases and the civil liability of criminal cases covered by the Rule on Summary Procedure, including the civil liability for violation of B.P. 22, except those which by law may not be compromised;
- (2) Special proceedings for the settlement of estates;
- (3) All civil and criminal cases filed with a certificate to file action issued by the Punong Barangay or the Pangkat ng Tagapagkasundo under the Revised Katarungang Pambarangay Law;
- (4) The civil aspect of Quasi-Offenses under Title 14 of the Revised Penal Code;
- (5) The civil aspect of less grave felonies punishable by correctional penalties not exceeding 6 years imprisonment, where the offended party is a private person;
- (6) The civil aspect of estafa, theft and libel;
- (7) All civil cases and probate proceedings, testate and intestate, brought on appeal from the exclusive and original jurisdiction granted to the first level courts under Section 33, par. (1) of the Judiciary Reorganization Act of 1980;
- (8) All cases of forcible entry and unlawful detainer brought on appeal from the exclusive and original jurisdiction granted to the first level courts under Section 33, par. (2) of the Judiciary Reorganization Act of 1980;
- (9) All civil cases involving title to or possession of real property or an interest therein brought on appeal from the exclusive and original jurisdiction granted to the first level courts under Section 33, par. (3) of the Judiciary Reorganization Act of 1980;
- (10) All habeas corpus cases decided by the first level courts in the absence of the Regional Trial Court judge, that are brought up on appeal from the special jurisdiction granted to the first level courts under Section 35 of the Judiciary Reorganization Act of 1980[.] (Citations omitted)

Contempt proceedings may be criminal or civil in nature. If the purpose is to vindicate and protect the dignity of

this Court's authority, the contempt is criminal. But if the purpose is to punish one party for failing to comply with a court's order benefiting the other party, the contempt is civil.[47] However, regardless of the nature of the proceedings, it is always treated separately even when the allegedly contumacious act is incidental to another action.[48] It is not subject to compromise, mediation, or conciliation between the parties.

Thus, respondent is gravely mistaken if he believes that he can evade liability on this basis, especially when this Court had already expressly warned him that "a repetition of any of the offenses of which he is herein found guilty, or any similar or other offense against courts, judges or court employees, will merit further and more serious sanctions." [49]

All litigation must end. In *In Re: Borromeo*:

It is withal of the essence of the judicial function that at some point, litigation must end. Hence, after the procedures and processes for lawsuits have been undergone, and the modes of review set by law have been exhausted, or terminated, no further ventilation of the same subject matter is allowed. To be sure, there may be, on the part of the losing parties, continuing disagreement with the verdict, and the conclusions therein embodied. This is of no moment, indeed, is to be expected; but, it is not their will, but the Court's, which must prevail; and, to repeat, public policy demands that at some definite time, the issues must be laid to rest and the court's dispositions thereon accorded absolute finality. As observed by this Court in *Rheem of the Philippines v. Ferrer*, a 1967 decision, a party "may think highly of his intellectual endowment. That is his privilege. And he may suffer frustration at what he feels is others' lack of it. This is his misfortune. Some such frame of mind, however, should not be allowed to harden into a belief that he may attack a court's decision in words calculated to jettison the time-honored aphorism that courts are the temples of right.[50]

The end of litigation, upon the finality of judgment, is essential for the effective and efficient administration of justice.[51] This Court is duty-bound to put an end to any machination, scheme, or measure taken by any party to defeat or frustrate the implementation of its decisions:

We have time and again ruled that courts should never allow themselves to be a party to maneuvers intended to delay the execution of final decisions. They must nip in the bud any dilatory maneuver calculated to defeat or frustrate the ends of justice, fair play and prompt implementation of final and executory judgment. Litigation must end and terminate sometime and somewhere, and it is essential to an effective administration of justice that once a judgment has become final, the winning party be not, through a mere subterfuge, deprived of the fruits of the verdict. Courts must therefore guard against any scheme calculated to bring about that result. Constituted as they are to put an end to controversies, courts should frown upon any attempt to prolong them.[52]

All litigants are warned that this Court does not tolerate attempts to squander its time rehearing cases that are final and executory:

There should be a greater awareness on the part of litigants that the time of the judiciary, much more so of this Court, is too valuable to be wasted or frittered away by efforts, far from commendable, to evade the operation of a decision final and executory, especially so, where, as shown in this case, the clear and manifest absence of any right calling for vindication, is quite obvious and indisputable.[53]

Respondent's case has already ended. Thus, his efforts to prolong it cannot be tolerated.

The foundation of respondent's estafa, perjury, and Ombudsman cases against petitioner's officials and counsel is his unceasing refrain that he had timely exercised his right to redeem his and his relatives' properties from Traders Royal Bank.

In his Motion for Reconsideration of the September 12, 2011 Resolution of the Office of the Cebu Provincial

Prosecutor in NPS Docket No. 11F-00918 for estafa, respondent stated:

I. With due respect, the Hon. Prosecutor has deplorably disregarded indisputable evidence that in fact, TCT Nos. 87399 and 81400 were fraudulently acquired by [Traders Royal Bank]. This fact hinges on respondents' assertion in par. 5 of their Joint Counter-Affidavit that "Complainant failed to redeem the foreclosed properties ... thus, TRB consolidated its title thereto ... on June 24, 1985, the Register of Deeds ... issued TCT Nos. 87399 and 87400 in the name of TRB in lieu of TCT Nos. 59755 and 71509.

However, this assertion under oath by respondents, as stressed in complainant's Comment is FALSE, MISLEADING AND MALICIOUS AND PERJURIOUS, since as admitted by TRB counsel Hermosisima Jr., "There is no question that he (complainant) has the right to make the redemption ... the only obstacle is the amount he had offered." In his Comment, complainant stressed that TRB itself had stated the redemption price of P83,043.91 which is accepted (albeit belatedly by its own initial rejection).

Hence, it cannot be denied as respondents have NOT DENIED, hence ADMIT, that the foreclosed properties had been redeemed. Indeed, Hermosisima's junior associate, Atty. Wilfredo Navarro, made such [damning] admissions under cross-examination by complainant in Civil Case No. CEB-139609[.][54]

Respondent even claims that the Court of Appeals, in CA-G.R. CV No. 07015, affirmed his right to redeem.[55]

In respondent's January 9, 2012 affidavit in his first perjury case, later docketed as NPS Docket No. VII-09-INV-12A-00129, he also stated:

3. However, in a Decision dated Dec. 20, 1984, the court upheld my right to redeem the properties at the auction sale price of P83,043.91 stressing that TRB could not insist in its demand for payment also of the Trust Receipt account. Despite said ruling, TRB refused to allow redemption but appealed the decision. Meantime, without my knowledge, my sister, Socorro B. Thakuria, owner of TCT No. 87398 and fear of losing it, went to TRB and paid the sum of P85,000.00. However, TRB refused to release the titles, claiming that said amount was only a "downpayment" [sic] for her property's repurchase which it pegged at the price of P160,000.00, thereby,defying the court's ruling.

4. In its Appeal Brief, TRB admitted that "there is no question that he (I) has the right to make the redemption himself, but that "the only obstacle is the amount he has offered to effect the redemption. This was the only formidable obstacle to the proposed redemption".

5. Unfortunately for TRB, the Court of Appeals sustained the lower court's decision upholding my right to redeem the properties at the auction sale price of P83,043.91. But despite said ruling and despite having received said amount, TRB still refused to release the titles, but even worse, it coerced my sister to pay the sum of [P] 671,000.00 for her title to be "repurchased" from the bank, while it continues to hold on to the two other titles it obtained in defiance of the lower and appellate court's decisions.[56]

Further, in respondent's April 18,2012 affidavit in his first perjury case, later docketed as NPS Docket No. VII-09-INV-12A-00129:

2. On December 20, 1984, the trial court rendered a Decision upholding my right to redeem the properties at the auction price and not as demanded by TRB. TRB appealed but in a Decision dated January 27, 1988, in CA G.R. CV No. 07015, the Court of appeals sustained the trial court on the sole issue of the redemption price. Despite said decision which TRB did not appeal, and despite having accepted the redemption price in the amount of P83,043.91, TRB refused to release the titles to the redeemed properties, but coerced Thakuria to "repurchase" her property for the whopping sum of P671,000.00.

3. Recently, the Bank of Commerce which acquired TRB, thru Roy Damole, Maximo Estrada, and Arturo Medrano, advertised over the Internet, the sale of TCT Nos. 87399 and 87400 for the price of P1,122,00.00 and P8,209,000.00 respectively. For so doing, I filed a case for Estafa against them docketed as I.S. No.

VII-INV-II-F-00918.

....

4. In their Counter-Affidavit in said case, copy of which is attached hereto as Annex "A", respondents admitted that "Indeed, complainant Borromeo instituted an action for redemption docketed as CC No. R-22506 ... in a Decision dated 20 December 1984, THE TRIAL COURT RULED IN HIS FAVOR" (par. 5). But in par. 6, they asserted that TRB elevated the matter before the Court of Appeals docketed as CA-G.R. CV No. 07015 ... in a Decision on 27 January 1988, the Court of Appeals REVERSED the trial court, ratiocinating that Borromeo "has lost his right of redemption and can no longer compel TRB to allow redemption of the properties in question", and in par. 10, they asserted that "therefore, there is no grain of truth to Borromeo's claim of redemption, rather WE ONLY TOLD THE TRUTH IN SAYING THAT "he failed to redeem the foreclosed properties".

The above underscored assertions of respondents are patently false, baseless, malicious and misleading, hence penurious, for in fact, the Court of Appeals did not reverse, but SUSTAINED the trial court on the sole issue of the redemption price thus:

"WE SUSTAIN THE LOWER COURT'S CONCLUSION THAT PLAINTIFF IS ENTITLED TO REDEEM ... AT THE PRICE FOR WHICH THEY WERE ACQUIRED AT THE AUCTION SALE AND THAT DEFENDANTS CANNOT INSIST THAT THE REDEMPTION PRICE SHOULD ALSO INCLUDE PLAINTIFF'S OUTSTANDING ACCOUNT UNDER THE TRUST RECEIPT."

Pertinent portions of said Decision is attached hereto as Annex "B". To reiterate, this ruling, coupled with TRB's acceptance of the sum of P85,000.00, indubitably proves that the foreclosed properties had long ago been redeemed. Hence, respondents are guilty of Perjury in asserting that "Complainant failed to redeem the foreclosed properties".

With respect to the ruling of the Court of Appeals quoted by respondents that "Borromeo lost his right of redemption and can no longer compel TRB to allow redemption", the same is not only void for being contrary to law but is MOOT and ACADEMIC due to TRB's receipt of the redemption price five years before said ruling. The self-contradictions and lack of legal basis in the premises relied upon by the Court are quite apparent and glaring.[57]

Contrary to respondent's claim, the Court of Appeals did no such thing. The Court of Appeals in CA-G.R. CV No. 07015 held that respondent lost his right of redemption. This was affirmed by this Court in its August 15, 1988 Resolution in G.R. No. 83306. On May 12, 1989, entry of judgment was made. All these facts were recognized by this Court in In Re: Borromeo:

On October 29, 1982 Borromeo filed a complaint in the Cebu City Regional Trial Court for specific performance and damages against TRB and its local manager, Bias Abril, docketed as Civil Case No. R-22506. The complaint sought to compel defendants to allow redemption of the foreclosed properties only at their auction price, with stipulated interests and charges, without need of paying the obligation secured by the trust receipt above mentioned. Judgment was rendered in his favor on December 20, 1984 by Branch 23 of the Cebu City RTC; but on defendants' appeal to the Court of Appeals — docketed as CA-G.R. CV No. 07015 — the judgment was reversed, by the decision dated January 27, 1988. The Court of Appeals held that the "plaintiff (Borromeo) has lost his right of redemption and can no longer compel defendant to allow redemption of the properties in question."

Borromeo elevated the case to this Court where his appeal was docketed as G.R. No. 83306. By Resolution dated August 15, 1988, this Court's First Division denied his petition for review "for failure. . . to sufficiently show that the respondent Court of Appeals had committed any reversible error in its questioned judgment, it appearing on the contrary that the said decision is supported by substantial evidence and is in accord with the

facts and applicable law." Reconsideration was denied, by Resolution dated November 23, 1988. A second motion for reconsideration was denied by Resolution dated January 30, 1989, as was a third such motion, by Resolution dated April 19, 1989. The last resolution also directed entry of judgment and the remand of the case to the court of origin for prompt execution of judgment. Entry of judgment was made on May 12, 1989. By Resolution dated August 7, 1989, the Court denied another motion of Borromeo to set aside judgment, and by Resolution dated December 20, 1989, the Court merely noted without action his manifestation and motion praying that the decision of the Court of Appeals be overturned, and declared that "no further motion or pleading. . . shall be entertained[.]"[58] (Emphasis supplied)

Decades after the courts have held that respondent had lost his right of redemption, he still somehow persists in claiming that an opposite conclusion had been reached. He shamelessly cherry-picks portions from court issuances that are favorable to him, and decries all adverse findings, as though his allegations work like a magic wand that could reverse what is already final and executory. Only courts can declare judgments void; respondent's repetitive assertions will not change the validity and finality of the judgment rendered against him.

Respondent's relentless and obstinate misrepresentation of the ultimate end of his cause is incurable. It is a waste of court and National Prosecution Service resources, and the prosecution service that could be better spent on cases impressed with merit. Moreover, it is tantamount to harassment of the lawful owners of the properties involved. His actions are patently in flagrant contempt of this Court.

Broadly, contempt of court is willful disregard of public authority that tends to, among others, impair the respect due to such a body:

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.[59] (Citations omitted)

Courts have the power to punish for contempt in order to preserve order in judicial proceedings, enforce its judgments, orders, and mandates. Ultimately, they have the power to administer justice.[60] "[R]espect of the courts guarantees the stability of their institution; without such guarantee, the institution of the courts would be resting on a very shaky foundation."[61]

Courts are mindful to wield the power to punish for contempt judiciously. "The power to punish for contempt of court should be exercised on the preservative and not on the vindictive principle."[62] As an extraordinary remedy of the court, a person may only be held in contempt unless it is necessary to do so, in the interest of justice.[63] Parties that contend for what they believe is right, in good faith, ought not to be considered contumacious, regardless of the error in their beliefs.[64]

Thus, it is only when the act of a party is willful, and for an illegitimate and improper purpose, will courts find a party in contempt.[65] Conduct that impedes, obstructs, or degrades the administration of justice is contumacious.[66] In *Inonog v. Ibay*: [67]

In *Lu Ym v. Mahinay*, we held that an act, to be considered contemptuous, must be clearly contrary or prohibited by the order of the Court. A person cannot, for disobedience, be punished for contempt unless the act which is forbidden or required to be done is clearly and exactly defined, so that there can be no reasonable doubt or uncertainty as to what specific act or thing is forbidden or required[.][68]

It is all too evident that respondent here has a contumacious attitude that spans interminable decades, in defiance

of this Court and the Judiciary.[69]

Further, his refusal to recognize his defeat has resulted in an obnoxious campaign waged against persons and parties that defeat their rights to peacefully enjoy ownership of properties awarded to them by the courts. He has vexed and taxed the resources of the prosecution service and the courts on baseless and repetitive proceedings. Not even imprisonment and a fine in 1995—imposed by no less than this Court—deterred respondent, or caused him to make any appreciable corrections to his behavior and attitude.

In *Spouses Suarez v. Salazar*,[70] this Court imposed the penalty of three (3) months imprisonment to a person who, having already once been declared in contempt of court, continued to commit the same acts for which he was first cited in contempt. Considering respondent's decades-long refusal to recognize the authority of this Court's rulings, a more severe penalty of both imprisonment and fine must be imposed upon respondent. Pursuant to Rule 71, Section 7 of the Rules of Court,[71] he should be sentenced to serve a term of imprisonment of three (3) months in the City Jail of Cebu City and ordered to pay a fine of Thirty Thousand Pesos (P3 0,000.00).

However, this Court recognizes the extraordinary situation brought about by the global pandemic due to the coronavirus disease caused by the virus SARS-CoV-2 (COVID-19).[72] Thus, in light of respondent's age, and COVID-19's effects on the conditions of the City Jail of Cebu City,[73] an additional fine shall then be imposed upon respondent in lieu of imprisonment.

WHEREFORE, the Petition is GRANTED. Joaquin T. Borromeo is GUILTY of indirect contempt of court. He is hereby sentenced to pay a fine of Three Hundred Thousand Pesos (P300,000.00). Borromeo, his representatives, and any persons acting in his behalf are ORDERED to refrain from committing the same or similar acts tending to obstruct the full execution of this Court's August 15, 1988 Resolution and the May 12, 1989 entry of judgment in G.R. No. 83306. Borromeo is WARNED that the failure to pay the fine, or any repetition of any of the offenses of which he is found guilty, or any similar or other offense against courts, judges, or court employees, shall constitute contempt of court; and result in the imposition of the penalty of three (3) months imprisonment.

Let copies of this Decision be furnished the National Prosecution Service, the Integrated Bar of the Philippines, and the Office of the Court Administrator, which shall circulate the same to all courts in the country for their information and guidance.

Costs against respondent.

SO ORDERED.

Peralta, C.J., Perlas-Bernabe, Caguioa, Reyes, A. Jr., Gesmundo, Reyes, J. Jr., Hernando, Carandang, Lazaro-Javier, Inting, Zalameda, Lopez, Delos Santos[*] and Gaerlan, JJ., concur.

[*]On leave.

[1]Rollo, pp. 3-12.

[2]RULES OF COURT, Rule 71, sec. 3 states:

Sec. 3. Indirect contempt to be punished after charge and hearing. — After a charge in writing has been filed, and an opportunity given to the respondent to comment thereon within such period as may be fixed by the court and to be heard by myself or counsel, a person guilty of any of the following acts may be punished for indirect contempt:

....

(b) Disobedience of or resistance to a lawful writ, process, order, or judgment of a court, including the act of a person who, after being dispossessed or ejected from any real property by the judgment or process of any court of

competent jurisdiction, enters or attempts or induces another to enter into or upon such real property, for the purpose of executing acts of ownership or possession, or in any manner disturbs the possession given to the person adjudged to be entitled thereto;

(c) Any abuse of or unlawful interference with the processes or proceedings of a court not constituting direct contempt under Section 1 of this Rule;

(d) Any improper conduct tending, directly or indirectly, to impede, obstruct, or degrade the administration of justice;

[3]311 Phil. 441 (1885) [Per Curiam, En Banc].

[4]Id. at 456.

[5]Id.

[6]Rollo, p. 5.

[7]In Re: Borromeo, 311 Phil. 441, 457-469 (1995) [Per Curiam, En Banc].

[8]Id. at 469-486.

[9]Id. at 486-492.

[10]Id. at 492-494.

[11]Id. at 495-499.

[12]Id. at 522.

[13]Id. at 521-523.

[14]Rollo, pp. 62-76.

[15]Id. at 5-6.

[16]Id. at 3-12.

[17]Id. at 77-83.

[18]Id. at 122-124.

[19]Id. at 127-128.

[20]Id. at 129-136.

[21]Id. at 84-87.

[22]Id. at 172-173.

[23]Id. at 176-177.

[24]Id. at 178-182.

[25]Id. at 195-199.

[26]Id. at 137-140.

[27]Id. at 249-250.

[28]Id. at 257-258.

[29]Id. at 9.

[30]Id. at 10.

[31]Id. at 265.

[32]Id. at 275-277.

[33]Id. at 276.

[34]Id. at 282-283.

[35]Id. at 287.

[36]Id. at 283.

[37]Id. at 294-295.

[38]Id. at 302-312.

[39]Id. at 341-347.

[40]Id. at 308.

[41]Id. at 329-331.

[42]Id. at 327-333. The Decision was penned by Associate Justice Carmelita Salandanan-Manahan and concurred in by now Supreme Court Associate Justice Ramon Paul Hernando and Associate Justice Ma. Luisa C. Quijano-Padilla of the Twentieth Division, Court of Appeals, Cebu.

[43]Id. at 344.

[44]Id. at 345-346.

[45]Id. at 347.

[46]Id. at 400-401.

[47]*Converse Rubber Corporation v. Jacinlo Rubber & Plastics Co. Inc.*, 186 Phil. 85, 108 (1980) [Per J. Barredo, Second Division].

[48]*Mison v. Subido*, 144 Phil. 63, 66 (1970) [Per J. Reyes, J.B.L., En Banc].

[49]*In Re: Borromeo*, 311 Phil. 441, 523 (1995) [Per Curiam, En Banc].

[50]Id. at 508.

[51]*Gonzales v. Secretary of Labor*, 202 Phil. 151, 162 (1982) [Per J. Concepcion, Jr., Second Division]; *Zansibarian Residents Association v. Municipality of Makati*, 219 Phil. 749, 755 (1985) [Per J. Cuevas, En Banc].

[52]*Spouses Pelayo v. Court of Appeals*, 300 Phil. 650, 655-656 (1994) [Per J. Nocon, Second Division].

[53]*Villaflor v. Reyes*, 130 Phil. 392, 401 (1968) [Per J. Fernando, En Banc].

[54]Rollo, p. 125-126.

[55]Id. See rollo p. 138. Joint Counter-Affidavit of Maximo V. Estrada and Arturo T. Medrano.

[56]Id. at 130-131.

[57]Id. at 197-199

[58]In Re: Borromeo, 311 Phil. 441, 457-458 (1995) [Per Curiam, En Banc].

[59]Lorenzo Shipping Corp. v. Distribution Management Association of the Philippines, 672 Phil. 1,10 (2011) [Per J. Bersamin, First Division].

[60]Id.

[61]Id.

[62]Honasan II v. Panel of Investigating Prosecutors of the DOJ, 476 Phil. 127, 133 (2004) [Per J. Austria-Martinez, En Banc].

[63]Id.

[64]Lorenzo Shipping Corp. v. Distribution Management Association of the Philippines, 672 Phil. 1,18 (2011) [Per J. Bersamin. First Division].

[65]Id.

[66]See Republic v. Lardizabal, 174 Phil. 624 (1978) [Per J. Fernandez, First Division].

[67]611 Phil. 558 (2009) [Per J. Leonardo-De Castro, En Banc].

[68]Id. at 567-568.

[69]See Matutina v. Buslon, 109 Phil. 140 (1960) [Per J. Reyes, J.B.L., En Banc].

[70]374 Phil. 103 (1999) [Second Division].

[71]RULES OF COURT, Rule 71, sec. 7 states:

Section 7. Punishment for indirect contempt. — If the respondent is adjudged guilty of indirect contempt committed against a Regional Trial Court or a court of equivalent or higher rank, he may be punished by a fine not exceeding thirty thousand pesos or imprisonment not exceeding six (6) months, or both. If he is adjudged guilty of contempt committed against a lower court, he may be punished by a fine not exceeding five thousand pesos or imprisonment not exceeding one (1) month, or both. If the contempt consists in the violation of a writ of injunction, temporary restraining order or status quo order, he may also be ordered to make complete restitution to the party injured by such violation of the property involved or such amount as may be alleged and proved. The writ of execution, as in ordinary civil actions, shall issue for the enforcement of a judgment imposing a fine unless the court otherwise provides.

[72]Naming the coronavirus disease (COVID-19) and the virus that causes it, WORLD HEALTH ORGANIZATION, (last accessed on June 3, 2020).

[73]COVID-19 cases in Cebu breach 1,000 as Mandaue City Jail reports 60 more cases, CNN PHILIPPINES, May 3, 2020, (last accessed on June 3, 2020).

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