

PACIFIC COMMERCIAL COMPANY, ASIATIC PETROLEUM COMPANY (P. I.), LTD., AND INTERNATIONAL BANKING CORPORATION, PETITIONERS AND APPELLANTS, VS. ANTONIO CAMPOS RUEDA AND JOSE CAMPOS ...

G.R. No. 21101. November 12, 1923

Ponente: ROMUALDEZ, J.

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ROMUALDEZ, J.:

The petitioners appeal from an order of the Court of First Instance of Manila setting aside a previous order which directed the receiver to take possession of the books, papers, and private property of the partners, and prohibited the payment to the latter of their private credits, and the collection of their debts.

The appellants contend that with the annulment of said order, judgment of this court of August 28, 1922, in case G. R. No. 18703 becomes ineffective.[1]

Such a conclusion is untenable, considering that the pronouncement prayed for and made in said case G. R. No. 18703 was one declaring insolvent the partnership Campos Rueda & Co., the partners not having been individually summoned or heard in that proceeding.

The order appealed from is hereby affirmed, with the costs against the appellants. So ordered.

Johnson, Street, Malcolm, Avanceña, Villamor, and Johns, JJ., concur.

[1] Campos Rueda & Co. vs. Pacific Commercial Co., 44 Phil., 916.

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