

BERNABE, APPLICANT AND APPELLANT, VS. MARIANO A. DE VILLA ET AL., OPPOSITORS AND APPELLEES.

G. R. No. 38842. July 07, 1934

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J. STEVENS-ACTING CLERK OF COURT

The Court having regularly acquired jurisdiction for the trial of the above-entitled cause submitted by both parties for decision, after consideration thereof by the Court upon the record, its decision and order for judgment having been filed on the 21st day of June, A. D. nineteen hundred and thirty-four;

By virtue thereof it is hereby adjudged and decreed that the judgment of the Court of First Instance of Batangas; dated the 19th day of August, nineteen hundred and thirty-two and from which the above-entitled appeal was taken, be, and the same is hereby affirmed with the modification that the oppositors should pay to the applicant the promotional part of the expenses incurred by the petitioner for the survey of the lot in question and the other expenses incurred by him as fees for registration of his application and the publication thereof. As it appears that three parcels of land are included in the application of the applicant-appellant, the portion of the expenses to be paid by the oppositors will be that the corresponding to lot no. 2. If the clerk of the court of First Instance of Batangas cannot determine the portion of the strickly necessary expenses incurred by the applicant with regard to Lot No. 2, the trial court is hereby authorized to ascertain the amount that the oppositors are obliged to pay the applicant in accordance with the provisions of section 37 of Act 496, as amended, with costs in this instance against the appellant-appellant.

It is further ordered that the oppositors-appellees recover from the appellant-appellant the sum of P40.00 as costs.

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