FLAVIA PARADO ET AL., PLAINTIFFS AND APPELLES, VS. VICENTE PARADO, DEFENDANT AND APPELLANT.

G.R. No. 4156. December 09, 1909

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Plaintiffs claimed an undivided one-half of certain lands, on the ground that they were the only heirs, and their claim was allowed. The evidence, however, discloses that the defendant also has an undivided one-half interest in the lands. Held: That plaintiffs are the owners of an undivided one-half interest, but are not entitled to judgment for possession as against defendant until a lawful partition is made and judgment so modified.

Per Carson, J.

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