

**CORNELIO R. CORDERO, RECURRENTE, CONTRA JAIME
HERNANDEZ, COMO PRESIDENTE, Y SERAFIN MARABUT Y
ROMAN OZAETA, COMO MIEMBROS DE LA JUNTA DE APELACIONES
DEL SERVICIO CIVIL, RECURRI...**

G.R. No. 47938. May 09, 1941

Ponente: DIAZ, J.

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DIAZ, J.:

El recurrente, mientras era Jefe de Policia de Caloocan, Rizal, fue" denunciado el mes de febrero de 1939 por Alfredo de Lara, concejal del mismo municipio, de actos de corrupcion de funciones publicas y abuso de autoridad. Despues de una investigacion de los cargos formulados contra el, el Inspector Provincial de Rizal, que la practica, elevo los papeles al Comisionado del Servicio Civil, y este funcionario, en 23 de enero de 1940, le exonero de todos dichos cargos declarando que ninguno de ellos llevo a probarse satisfactoriamente en la investigacion. El denunciante que no se conformo con la decision del Comisionado del Servicio Civil, apelo de la misma para ante la Junta de Apelaciones del Servicio Civil, sin que lo supiese el recurrente; y dicha Junta, en decision de 22 de noviembre de 1940, revoco la del Comisionado, ordenando la destitucion del recurrente como Jefe de Policia de Caloocan. Contra esta ultima decision, el recurrente interpuso apelacion promoviendo el presente proceso de certiorari, en el que sostiene que la Junta de Apelaciones del Servicio Civil obro con extralimitacion de poderes al revocar la decision del Comisionado.

Imperial, Laurel, Moran, y Horrilleno, MM., estan conformes.

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