

**DEMETRIO ERNESTO, GREGORIO DELEGADO, ALEJANDRO DOGOLDOGOL, TIMOTEO CAWAS, TORIBIO MONTE-MAYOR, JUAN DELEGADO, FELIPE GOLVIN, LUCAS VALLES, VICTOR REDERA, RAFOL AGATON, AND 1,000...**

*G.R. No. 52178. August 24, 1984*

Ponente: GUERRERO, J.

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**GUERRERO, J.:**

The Motions for Reconsideration separately filed by the private respondent San Carlos Milling Co., Inc., the private respondents Carlos, Connie and Julieta, all surnamed Ledesma, and the private respondents Vicente and Amparo Gustilo now before Us, seek to reconsider Our Decision[1] in the instant case rendered on September 28, 1982, the dispositive portion of which states, to wit:

"WHEREFORE, judgment is hereby rendered in favor of petitioners and against the respondents Central and planters in the manner set forth in the foregoing opinion, which, summarized, is that from crop year 1958-59 and all the crop years thereafter the Central is sentenced to pay all the planters in the San Carlos Milling district, regardless of their classification as emergency or non-quota planters, the corresponding rates of share prescribed in Section 1 of Republic Act 809 minus what said planters have already been actually paid pursuant to their milling contracts, which should be deemed to include that paid to the Association for 'research, investment, development and social welfare funds to be used by the planters for these purposes, in accordance with their sole judgment and discretion', and the respondent planters in turn are hereby sentenced to pay their respective laborers, herein petitioners, 60% of such difference they will be paid by the Central, pursuant to Section 9 of the Act, and the Minister of Labor is hereby directed to supervise the payments to the laborers herein adjudged. Respondent planters are further sentenced to pay their respective laborers 60% of what they have already been paid by the Central during all the crop years involved in this case.

All amounts herein ordered to be paid shall bear interest at the legal rate from the time of the finality of this judgment, and this case being one involving a claim of laborers in the nature of unpaid portion of wages due them by mandate of the law, the respondents shall pay as attorney's fees, per Article 2208, paragraphs (7) and (11) of the Civil Code, 10% of their respective proportion of payments to be made as above adjudged.

No costs."

These Motions for Reconsideration took some time to resolve because of the many pleadings filed by the parties in support of their respective stands on the merits, or lack of it, of said Motions, which pleadings We required and allowed because of the issues raised by the pleadings, not discounting the numerous extensions of time requested by the parties.

After much thought and careful deliberation, it is Our considered opinion that no error lies in Our Decision of September 28, 1982.

The main issues presented by private respondents' motions for reconsideration are:

- (1) Whether or not We erred in assuming jurisdiction and granting due course to the petition-at-bar, much more render judgment for the petitioners, considering the fact that the petition was filed beyond the reglementary period provided for under PD 946, section 18 thereof;
- (2) Whether or not We erred in not finding that respondent San Carlos Milling Co., Inc. has milling contracts with the majority of the planters within its district; and
- (3) Whether or not We erred in rendering what private respondents term as the "all planters, all subse-quent crop years" judgment.

Anent the first issue, private respondents maintain that in assuming jurisdiction over the petition-at-bar despite that it was allegedly filed out of time and, therefore, the respondent court's decision had become final and executory, We have departed from Our ruling laid down in *Caparas vs. CA*, 105 SCRA 355, that under the provisions of section 18 of Presidential Decree No. 946, the reglementary period for filing the appeal by Certiorari to the Supreme Court from a final judgment of the Court of Appeals in an agrarian case, is non-extendible, being peremptory or mandatory in character. Private respondents' contention is without merit.

The attention of the private respondents is called to the fact that the issue of whether or not We correctly acquired jurisdiction over the petition-at-bar, has been passed upon by Us on several occasions. The first was when We granted the petition due course despite the raising of this issue in respondents' Comments. The granting of due course should be taken to mean that the issue on lapses of procedural requirements had been overlooked in favor of deciding the case on the merits. An appeal to this Court is given due course as a rule only when it involves important legal issues (*Feraren vs. Santos*, 193 SCRA 707). The second was when We denied in Our Resolution of October 7, 1981 their Motion to Dismiss which raised the same issue; and third, in Our Resolution of November 4, 1981, when We also did not consider nor act upon private respondent San Carlos Milling's motion for reconsideration<sup>[2]</sup> of Our denial of their Motion to Dismiss. The Decision of September 28, 1982 was actually the fourth occasion that We resolved the issue against them. Certainly, it has been more than sufficiently considered.

Considering, however, the tenor of the pleadings filed, which We perceive as bordering on belligerence, We shall set forth Our opinion on the matter.

It is in the *Caparas* case that We made a pronouncement on the nature of the reglementary period provided for under the stated legal provision. This was followed by *Soque vs. CA*<sup>[3]</sup> in August of the same year. In both cases, We cited as reason for Our rulings that the manifest intent of the law is the speedy disposition of agrarian cases. By these cases, We have not, however, laid down an absolute rule which is totally not subject to exceptions, depending on the circumstances peculiar to the case before Us and provided that the intent of the law is not thereby defeated.

Here, the instant case is not without exceptional circumstances. While concededly the petition was filed beyond the thirty-day reglementary period, We cannot simply ignore and disregard the facts obtaining below which, for all intents and purposes, caused the questioned late filing. Thus, petitioners were first misled by the very notice of judgment received from the respondent court which required compliance with Section 10, Rule 51 of the Rules of Court to prevent its judgment from becoming final, instead of the correct law, that is PD No. 946. Then came the granting by the same court of their two motions for extension of time to file motions for reconsideration of its adverse judgment, which may be considered as having lulled the petitioners into believing that they took the correct remedy. And finally, the respondent court, when it recalled its two Resolutions granting the aforesaid extension of time in its Resolution of November 19, 1979, also declared that the same is without prejudice to petitioner's right to appeal to this Court. Petitioners then filed their petition within thirty (30) days from receipt

of this last Resolution of the respondent court. The above facts alto-gether show that petitioners were not guilty of any deliberate delay or transgression of the provisions of the pertinent law and therefore, may be excused under a liberal interpretation of the law. They simply complied with what was required of them under the circumstances obtaining. The respondent court was the one who fell into error. While the counsel for petitioners himself fell into error, this Court is constrained to take into consideration that the error was not entirely his own, because the respondent court's own acts lulled him into believing that he was in the right course, and at any rate, petitioners immediately filed their petition after receipt of the respondent court's last Resolution. This Court, in *Mendoza vs. Mercado*, 98 SCRA 45, speaking through Justice Aquino, who also penned Our decisions in the aforecited *Caparas* and *Soque* cases, said, to wit:

"An attorney-at-law is not expected to know all the law. For an honest mistake or error, an attorney is not liable. Chief Justice Abbot said that 'no attorney is bound to know all the law; God forbid that it should be imagined that an attorney or a counsel, or even a judge, is bound to know all the law.' (*Montorioso vs. Jeffreys*, 2 lar. P. 113, cited In re *Filart*, 40 Phil. 205, 208.)"

Hence, in view of the foregoing, tending to show that petitioners' failure to appeal in accordance with the pro-visions of Presidential Decree 946 was due to an honest mistake and/or excusable negligence, and there being no sign of manifest intention to delay the proceedings so as to defeat the obvious intent of the law, We upheld Our jurisdiction over the petition-at-bar, which We hereby affirm. Petitioners should be allowed to establish the merits of its appeal without constraints of technicality but in the spirit of fairness and liberality, considering that they have an ostensibly meritorious claim. Private respondents' contention that the claim is not meritorious is belied by the results obtained in the main Decision where the majority of the Court En Banc concurred with the ponente's opinion.

We now come to the "majority issue". In the main Decision, We ruled that majority of the planters in the San Carlos Milling District did not have written milling contracts with the respondent Central, for which reason We upheld the applicability of Republic Act 809. We so ruled because We counted or included the non-quota, non-district and accommodation planters, and the records indicate that should they be considered in ascertaining the number of planters with written milling contracts with the sugar mill, the planters in the San Carlos Milling District with such written milling contracts would be in the minority.

Movants' contention that We erred in including these classifications of planters upon the private respondents' allegations that the inclusion of non-quota, non-district and accommodation planters was never intended by the lawmakers when they enacted RA 809 as they were not yet in being which in effect assailed Our construction of the law, is devoid of merit. It is true that statutes are to be construed as they were intended to be understood when they were passed, and words of a statute must be taken in the sense in which they were understood at the time when the statute was enacted, thus giving an impression of validity to the contention of the private respondents that the legislators could not have intended to include in the word "planter" the non-quota, non-district and accommodation planters, because at the time of the enactment of the law they were not yet in existence. But the rules on statutory construction does not end there, but continues that if the language used is broad enough to include unknown things which might spring into existence in the future, they would be deemed to come within and be subject to the evident meaning of the terms used.[4] Thus, the following authority:

"Sec. 237. Application to New Cases, Conditions and Subjects. - Since the words of a statute must be taken in the sense in which they were un-derstood at the time when the statute was enacted, and the statute must be construed as it was intended to be understood when it was passed, statutes are to be read in the light of attendant conditions at the time of their enactment. x x x

On the other hand, the fact that a situation is new, or that a particular thing was not in existence, or was not

invented, at the time of the enactment of a law, does not preclude the application of the law thereto. The language of a statute may be so broad, and its object so general, as to reach conditions not coming into existence until a long time after its enactment. Indeed, it is a general rule of statutory construction that, in the absence of a contrary indication, legislative enactments, which are prospective in operation and which are couched in general and comprehensive terms broad enough to include unknown things that might spring into existence in the future, even though they are words of the present tense, apply alike to new situations, cases, conditions, things, subjects, methods, inventions, or persons or entities coming into existence subsequent to their passage, where such situations, cases, conditions, things, subjects, methods, inventions, persons or entities are of the same class as those specified, and can reasonably be said to come within the general purview, scope, purpose, and policy of the statute, the mischief sought to be prevented, and the evident meaning of the terms used."

"Sec. 419. Application to New Cases, Conditions, and Subjects. - It is a general rule of statutory construction that, in the absence of a contrary indication, legislative enactments which are prospective in operation and which are couched in general and comprehensive terms broad enough to include unknown things that might spring into existence in the future, apply alike to new situations, cases, conditions, things, subjects, methods, inventions, persons, or entities coming into existence subsequent to their passage, where such situations, cases, conditions, things, subjects, methods, inventions, persons, or entities are of the same class as those specified, and are within the general purview, scope, purpose, and policy of the statute, the mischief sought to be prevented, and the evident meaning of the terms used. x x x[5]

As to the alleged lack of evidence of no majority, assuming arguendo to be true, We, at this stage after Our pronouncements in *Asociacion de Agricultores de Talisay-Silay, Inc., et al. vs. Talisay-Silay Milling Co., Inc.* et al., 88 SCRA 294, observe that the same will not defeat petitioners' claim. In the cited case, We categorically held that any increase in participation given to planters in contracts executed after the approval of Republic Act 809 must be shared with laborers of the planters in the manner provided in Section 9, even if by the reason of the number of such contracts, Section 1 would not apply. In other words, even when there is a majority of contract planters in the district, Section 9 would still apply as long as the contracts providing for increase in the participation of the planters have been executed purportedly to attain the majority required by Section 1 and thereby to prevent the application of the higher rates of increase prescribed by the provisions thereof.

In assailing what the private respondents call as Our "all planters, all subsequent crop years" judgment, private respondents claim that they were deprived procedural due process and, therefore, Our decision is void. They insist that We cannot enlarge the scope of petitioners' claims, the same allegedly being only against the private respondent San Carlos Milling Company, the private respondents Ledesma and the private respondents Gustillos, and no other planter, and being limited only to the crop years of 1958-1959 to 1967-1968, and not for all subsequent crop years.

We see no reason to change or modify Our main Decision.

It is true that petitioners below filed their complaint only against the herein named private respondents. However, considering that from the averments of the complaint,[6] it is clear that the suit was principally directed against the respondent San Carlos Milling Co.; that the suit by the petitioners was brought as a class suit or for the benefit of all the others similarly situated;[7] and, that the private respondents, the Ledesmas and the Gustillos, were merely impleaded as co-defendants because they refused to join the petitioners as plaintiffs in their complaint below. Thus, Our Decision sentencing the Central to pay all planters within its district, and, in turn, for all planters to pay their respective laborers, is in order. In *Lakas ng Manggagawang Makabayan vs. Marcelo Enterprises*, 118 SCRA 522, We affirmed Our authority to cure defect of inclusion/ non-inclusion of proper parties even while on appeal before Us, therein considering, as We did here, the fact that the entirety of the records, or the pleadings filed, sufficiently show that the proper parties were brought before the courts so that any incorrect designation

may be overlooked for being merely an error in form.

With regards to the question of "subsequent crop years", and after reading through the records, We find that this new issue was raised by the petitioners in their pleadings before Us. The records bear out that from the crop year 1952-53 and thereafter, the sharing arrangement between respondent Central and the Planters in the San Carlos Milling District always fell short of the correct sharing proportion under Section 1 of RA 809, which is understandable because up to the present, the parties are not yet definite and certain as to whether or not the Sugar Act applies to the San Carlos Milling District, as in fact the Central and the Planters are of the negative opinion. In connection therewith, petitioners undertook to submit to Us the tabulated sharing arrangement by and between respondent Central and respondent Planters of the unrefined sugar and molasses in the San Carlos Milling District and the share that should pertain to them from crop year 1958-59 up to crop year 1979-1980;[8] the increase in planters' participation from crop year 1952-53 up to and including crop year 1981-1982;[9] and list of prices of sugar and molasses from 1948 up to 1981.[10] In *Asiatic Integrated Corp. vs. Alipala*, 67 SCRA 60, We ruled that new issues not brought before the trial court will be entertained by the appellate court without need of supplemental pleadings where all the facts for determination of said issues are before the appellate court and matters of public interest need to be promptly settled. Therefore, Our decision to hold the private respondents liable not only for the ten (10) crop years claimed but also for the years thereafter, is not without precedent. Facts were brought to Our attention upon which We can, and did, base Our determination of the issue.

What significantly compelled Us to render the "all planters, all subsequent crop years" judgment is the fact that We have been apprised of the other claims, already filed, and still to be filed, in the courts below, which have merely been suspended or not yet filed because they are awaiting the finality of Our Decision. Certainly, as soon as Our Decision becomes final, the courts will be deluged by claims of all laborers in the San Carlos Milling District against all the Planters therein. To open the gates to such suits, would not only be encouraging multiplicity of suits which time and again We have openly deplored, but more importantly, would only result in needless delays for the hard-pressed laborers - more years of tortuous and expensive journey through new proceedings in the trial courts, appeal to the Intermediate Appellate Court, and the last resort to this Court through a petition for review, to finally achieve the same result.

WHEREFORE, IN VIEW OF THE FOREGOING, the Motions for Reconsideration are hereby DENIED for lack of merit. SO ORDERED.

Concepcion, Jr., Melencio-Herrera, Plana, Relova, Gutierrez, Jr., De la Fuente, and Cuevas, JJ., concur.

Fernando, C.J., and Makasiar, J., on official leave.

Teahankee, Acting C.J., Aquino, Abad Santos, and Escolin, JJ., no part.

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**[1] 116 SCRA 755.**

[2] San Carlos Milling filed a Motion dated November 4, 1981, praying that its reply to petitioner's comment be considered a Motion for Reconsideration of the Resolution of October 7, 1981.

**[3] 107 SCRA 229.**

[4] 50 Am. Jur., p. 224-227.

[5] 50 Am. Jur., p. 441.

[6] Cited in petitioners' Comment to the Motions for Reconsideration, Rollo, pp. 641-642.

[7] In an earlier related development, the propriety of bringing a class suit was upheld by the respondent court in a final judgment rendered in CA-G.R. No. 44822-8, entitled "San Carlos Milling Co., Inc. vs. Demetrio Ernesto, Gregorio Delegardo, Alejandro Dagoldogol, Timoteo Cawas, Toribio Montemayor, Juan Delegado, Felipe Galvin, Lucas Vallas, Victor Redora, and Rafol Agaton, versus, San Carlos Milling Co., Inc., Spouses Carlos Ledesma and Connie Ledesma, Spouses Vicente Gustillo, Jr. and Amparo L. Gustillo, and Julieta Ledesma" the same of which is a special civil action between the same parties.

[8] Rollo, p. 409.

[9] Rollo, p. 411.

[10] Rollo, p. 412.

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