

JULIA DAYRIT HIDALGO AND AUGUSTO HIDALGO, PETITIONERS, VS. COURT OF APPEALS AND MARCELO MASANGKAY, RESPONDENTS.

G.R. No. 52208. July 25, 1984

Ponente: AQUINO, J.

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AQUINO, J.:

This is an agrarian case. Marcelo Masangkay was a tenant on the coconut land of the petitioners with an area of 51 hectares located in Barrio Hulo, Cawit, Boac, Marinduque. Because of his age, the petitioners ejected him in January, 1969. He had planted 1,200 coconut trees on the land. It was agreed that he was to be paid two pesos for every coconut tree planted by him. He was paid P150 a month as his share in the proceeds of the harvest.

The Court of Appeals in a decision dated November 21, 1979, as clarified in its resolution of January 9, 1980, ordered (1) his reinstatement or the payment of P2,400 as his compensation for the coconut trees, (2) payment to him of P1,800 a year from January, 1969 until reinstated or until the sum of P2,400 is paid to him, and (3) the payment of P600 as litigation expenses.

The petitioners appealed to this Court. They contend that the Appellate Court erred (1) in concluding that Masangkay was a tenant, (2) in awarding grossly excessive damages not supported by substantial evidence and (3) in the alternative, in not declaring that the tenancy was terminated due to Masangkay's abandonment and incapacity.

These contentions cannot be entertained because they assail the factual conclusions of the Appellate Court which are binding and conclusive on this Court. The Agrarian Court made the same findings. Only legal questions may be raised in this Court (Sec. 18, Presidential Decree No. 946, Law Reorganizing the CAR). The instant petition should not have been given due course.

However, Masangkay, who was 96 in 1980 (p. 59, Rollo), should not be reinstated.

WHEREFORE, we affirm the judgment of the Appellate Court ordering the petitioners to pay Masangkay P3,000 as the value of the coconut trees and litigation expenses, and P1,800 per annum from 1969 to the date the said sum of P3,000 is paid. Costs against the petitioners. SO ORDERED.

Makasiar, (Chairman), Concepcion, Jr., Guerrero, and Abad Santos, JJ., concur.

Escolin and Cuevas, JJ., did not take part.

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