

EDITHA B. SALIGUMBA, PETITIONER, VS. COMMISSION ON AUDIT AND LEONARDO ESTELLA, RESPONDENTS.

G.R. No. 61676. October 18, 1982

Ponente: ABAD SANTOS, J.

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ABAD SANTOS, J.:

This is a petition to review the decision of the Commission on Audit (COA) in Administrative Case No. 81-525 for disgraceful and immoral conduct.

On the basis of the sworn complaint of Editha Saligumba, the COA instituted the administrative case against Leonardo Estella, Auditing Examiner III, in the Auditor's Office of Misamis Occidental. The charge was that the respondent raped Editha Saligumba on several occasions.

On April 12, 1982, the COA rendered a decision with the following judgment:

"Wherefore, for insufficiency of evidence, the instant charge is hereby dropped. Respondent is, however, warned to comport himself henceforth in such a manner as would forestall the filing of similar complaints in the future."

Editha Saligumba now wants Us to review the COA decision. She insists that the decision of the COA is contrary to the evidence. Thus she raises these "vital issues":

"a). Was the petitioner raped on three (3) occasions by respondent Estella, with grave abuse of confidence?

"b) Was petitioner fabricating her charges against the respondent?

"c). Is respondent Estella the father of the child of the petitioner by his maneuvers of amicable settlement indicating his guilt?

"d). Whose testimonies are more credible, that of petitioner or that of respondent Estella including their witnesses?

"e). Is respondent Estella guilty of immorality and fit to be dismissed from service?

"f). Is the commission on audit ignoring the evidence on record of the petitioner, because the investigating lawyer who received the evidence in Oroquieta City, Philippines, the mother of the investigator, is the superior of respondent Estella's wife as a classroom teacher?"

The petition has to be dismissed for the following reasons:

1. Our power to review COA decisions refers to money matters and not to administrative cases involving the discipline of its personnel.
2. Even assuming that We have jurisdiction to review decisions on administrative matters as mentioned above, We can not do so on factual issues; Our power to review is limited to legal issues.

Accordingly, the petition is dismissed.

SO ORDERED.

Makasiar, (Chairman), Aquino, Concepcion, Jr., Guerrero, De Castro, and Escolin, JJ., concur.

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