

LEONARDO SALAS, PETITIONER, VS. COURT OF APPEALS AND ROXAS Y CIA., RESPONDENTS.

G.R. No. 86500. November 21, 1990

Ponente: GANCAYCO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-86500/>

GANCAYCO, J.:

The sole issue in this petition concerns the right of a tenant to actual damages upon reinstatement.

On March 31, 1975, petitioner filed an action to be declared the lawful tenant of private respondent with the Court of Agrarian Relations of Lipa City. On June 6, 1988, the Regional Trial Court of Balayan, Batangas, which replaced the Court of Agrarian Relations, rendered a decision finding that petitioner was not a bona-fide tenant of the four (4) hectares of agricultural land formerly tenanted by the father of petitioner. Nonetheless, private respondent was ordered by the court to pay damages in the amount of P5,000.00 to petitioner.

Petitioner interposed an appeal to the Court of Appeals wherein in due course a decision was rendered on November 25, 1985 reversing and setting aside the appealed decision and reinstating petitioner as the lawful tenant of private respondent in lieu of his deceased father Benigno Salas, and requiring private respondent to pay petitioner P5,000.00 as nominal damages and P15,000.00 exemplary damages both to earn interest until fully paid.[1]

As no actual damages were awarded to petitioner, a partial appeal was undertaken by way of this petition to this Court containing the following allegations:

“A - RESPONDENT COURT OF APPEALS COMMITTED A GRAVE ABUSE OF DISCRETION IN FINDING AND CONCLUDING THAT THERE IS NO WAY OF AWARDING ACTUAL DAMAGES AS THERE IS ‘NO BASIS FOR DETERMINING THE SAME’, NOTWITHSTANDING EXISTENCE OF SUBSTANTIAL EVIDENCE SPREAD ON RECORD AND CITED IN THE MEMORANDUM OF HEREIN PETITIONER.

B. - ASSUMING THAT THERE IS NO SUBSTANTIAL EVIDENCE TO SUPPORT THE AWARD FOR ACTUAL DAMAGES, RESPONDENT COURT OF APPEALS COMMITTED AN ERROR OF LAW AND/OR GRAVE ABUSE OF DISCRETION IN FAILING TO COMPLY WITH THE EXPRESS MANDATE OF THE THIRD PARAGRAPH OF SECTION 18, PD 945, AND SECTION 9, BP BLG. 129, VESTING UPON THE RESPONDENT COURT OF APPEALS TO TAKE INTO CONSIDERATION ANY ISSUE, QUESTION OR INCIDENT, EVEN IF NOT RAISED, FOR A COMPLETE AND JUST DISPOSITION OF THE CASE AND AUTHORIZING THE SAID RESPONDENT COURT OF APPEALS TO TRY AND CONDUCT HEARINGS, RECEIVE EVIDENCE AND PERFORM ANY AND ALL ACTS NECESSARY TO RESOLVE FACTUAL ISSUES RAISED IN CASES FALLING WITHIN ITS ORIGINAL AND APPELLATE JURISDICTION, INCLUDING THE POWER TO GRANT AND CONDUCT NEW TRIALS OR FURTHER PROCEEDINGS IN ORDER THAT FACTUAL BASIS MAY BE OBTAINED AS A BASIS OF DETERMINING THE AWARD FOR ACTUAL DAMAGES AS PROVIDED FOR UNDER THE FIRST PARAGRAPH OF SECTION 31, REP. ACT NO. 3844.

C - RESPONDENT COURT OF APPEALS HAVING AWARDED EXEMPLARY DAMAGES OF P15,000.00 PLUS NOMINAL DAMAGES OF P5,000.00 TO PETITIONER COMMITTED AN ERROR OF LAW IN NOT AWARDING REASONABLE ATTORNEY'S FEES AS PROVIDED FOR UNDER ARTICLE 2208, NEW CIVIL CODE.”[2]

Petitioner invokes the provisions of Section 31, paragraph 1 of Republic Act No. 3844 which provides:

“It shall be unlawful for the agricultural lessor:

(1) To dispossess the agricultural lessee of his landholding except upon authorization of the Court under Section thirty-six. Should the agricultural lessee be dispossessed of his landholding without authorization from the Court, the agricultural lessor shall be liable for damages suffered by the agricultural lessee in addition to the fine or imprisonment prescribed in this Code for unauthorized dispossession. (Underscoring supplied).”

On the basis thereof petitioner alleges that he is entitled not only to reinstatement but also to actual damages. He further claims that proof of damage had been adduced at the trial but was not considered by the appellate court.

This is a petition for review by certiorari of the decision of the Court of Appeals under Rule 45 of the Rules of Court. In this proceeding only questions of law may be raised. Petitioner's claim for damages is a factual issue which may not be entertained. The findings of facts of the appellate court to the effect that there is no proof of actual damages are conclusive and binding on this Court.

Further, the argument of petitioner that assuming there is no evidence of actual damages, the Court of Appeals should have asked petitioner to present evidence in this aspect as it is authorized to receive evidence in accordance with Section 18, P.D. No. 945 and Section 9, B. P. Blg. 129, is untenable. The burden of proof of the damages suffered is on the party claiming the same. It is the duty of petitioner to present evidence to support his claim for actual damages. If he failed to do so he has only himself to blame if no award for actual damages is handed down.

Nevertheless, under the circumstances of the case the Court concedes that petitioner is entitled to an award of attorney's fees which the Court sets at P10,000.00.

WHEREFORE, the petition is GRANTED in that the questioned decision is modified by awarding an additional amount of P10,000.00 as attorney's fees to be paid by private respondent to petitioner. Costs against private respondent.

SO ORDERED.

Narvasa, (Chairman), Cruz, Griño-Aquino, and Medialdea, JJ., concur.

[1] Justice Segundino G. Chua was the ponente, concurred in by Justices Nicolas P. Lapeña, Jr. and Bonifacio A. Cacdac, Jr.

[2] Page 6, Rollo.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.