

IGNACIO GONZALES, PETITIONER, VS. HON. JOSE M. SANTOS, ET. AL., RESPONDENTS.*G.R. Nos. 16355-56. April 28, 1961*

Ponente: BAUTISTA ANGELO, J.

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On March 24, 1958, Ignacio Gonzales filed with the Court of Agrarian Relations, Second Regional District stationed at Cabanatuan City, six petitions to eject his tenants from their landholdings on varied grounds. In their answer, the tenants denied the charges preferred against them and set up a counterclaim for the recovery of rentals allegedly paid by them in excess of what was agreed upon when they were still holding the land under a leasehold agreement. On their part, the tenants filed a separate petition for liquidation of the harvest on their landholdings for two agricultural years stating that they gave petitioner more than what was due him. This petition was in turn answered by Gonzales denying the alleged excess payment of his share in the harvests. The two incidents having been heard jointly, because the parties and the issues involved are interrelated, the court rendered a consolidated decision dismissing both petitions except one filed against tenant Jose Esguerra as to whom the court declared that although the tenancy relationship between him and petitioner is already extinguished such is without prejudice to the right of Esguerra's son to take his place as tenant effective the agricultural year 1960-1961. The counterclaim of the tenants was likewise dismissed.

On November 20, 1959, petitioner moved the court for an extension of 15 days within which to file a motion for reconsideration alleging, among others, that due to pressure of work and the fact that the record of the two cases is voluminous, he will not be able to prepare and file his motion for reconsideration within the reglementary period. The agrarian court denied this motion on the ground that under the law it has no power to extend the period for the filing of such a motion. His motion to reconsider the order having been denied, petitioner has come to this Court by way of certiorari contending that respondent judge acted in excess of his jurisdiction or with grave abuse of discretion in denying his motion for reconsideration.

We find merit in this petition. To begin with, a party in an agrarian case is given by law the right to appeal from an order or decision of the Court of Agrarian Relations to the Supreme Court by filing in such Court within 15 days from receipt of notice of such order or decision a written petition praying that it be modified or set aside in whole or in part (Section 13, Act No. 1267, as amended by Section 8, Republic Act No. 1409). And if at the expiration of said 15 days no appeal is taken from said order or decision, the same shall become final unless during said 15 days the aggrieved party moves for a reconsideration of the order or decision (Section 12, *Idem.*)

It thus appears that an aggrieved party may file a motion for reconsideration within the period of 15 days before a decision of the agrarian court may become final. If such is the right that the law gives to an aggrieved party it is obvious that he can ask for an extension of said period when such becomes necessary by the nature of the case and the extent of the record involved. To that effect he may file a motion stating the reasons he may have in support thereof which generally is addressed to the sound discretion of the court. To hold otherwise would be to nullify such right contrary to the letter and spirit of the law.

That the agrarian court has such power cannot be denied considering that it has all the prerogatives of a court of justice. Thus, Section 8 of the law (Republic Act No. 1267) provides that that court possesses all the inherent powers of a regular court provided for in paragraph 5, Rule 124, of the Rules of Court, among which, the power "to amend and control its processes and orders so as to make them conformable to law and justice." And among the powers included in this broad grant we may mention the power and authority to extend the period for the filing of the record on appeal, appeal bond, answer, and brief.[1] And if the regular courts may extend the period for the filing of said pleadings, we see no cogent reason why the agrarian court cannot act on a minor matter if sufficient cause is shown that such extension is necessary for the proper administration of justice.[2] In fact, the filing of a motion for reconsideration is desirable in order to give the lower court a chance to correct whatever error it may have committed before the aggrieved party may invoke the supervisory jurisdiction of an appellate court.

It appearing that the motion for extension to file a motion for reconsideration was filed before the expiration of the reglementary period, the same was filed in accordance with law. The trial court, therefore, has no valid reason to brush it aside on the wrong premise that it has no jurisdiction to act thereon. It was its duty to act on the strength of the reasons set forth therein which it may either grant or deny. When it simply denied the motion under a misapprehension of its power to act, it committed an error which is tantamount to an abuse of discretion thus giving substance to the present petition for certiorari.

Wherefore, petition is granted. The order of the agrarian court dated November 2, 1959 is set aside, and the case is remanded to the agrarian court in order that it may act in line with this decision. No costs.

Bengzon, C.J., Padilla, Labrador, Concepcion, Reyes, J.B.L., Barrera, Paredes, and Dizon, JJ., concur.

[1] Santiago and Flores vs. Valenzuela and Pardo, 78 Phil., 397; Jose, et al. vs. Villacorta, et al., 53 Off. Gaz. 428; Rago, et al. vs. Court of Appeals, et al., L-7016, May 30, 1955; Heirs of Singbengco vs. Arellano, et al., 99 Phil., 956; 52 Off. Gaz., 6167.

[2] This Court has impliedly recognized the power of the agrarian court to extend the time for the filing of a motion for reconsideration in the case of Ulpiendo, et al. vs. the Court of Agrarian Relations, et al., 109 Phil., 968.

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