

[ **ADMINISTRATIVE ORDER NO. 258, December 12, 1970** ]

**IN RE: ATTY. NEMESIO F. GANAN, SR., FORMER JUSTICE OF THE PEACE OF BADAJOZ, DESPUJOLS AND ODIONGAN, ROMBLON**

This is a petition by Atty. Nemesio F. Ganan, Sr. for reconsideration of the decision rendered by this Office under Administrative Order No. 245 dated December 23, 1953, removing him from office as justice of the Peace of Badajoz, Despujols and Odiongan, Romblon, effective on receipt of the decision on February 3, 1954.

After a review of the case, this Office agrees with the Department of Justice that there is no sufficient justification for reconsidering respondent's separation from the service. However, considering that the arbitrary detention committed by respondent, which resulted in his removal, took place barely five days after his appointment as justice of the peace; that the detention of the offended party in jail for twenty-five minutes was brought about by herself when she uttered derogatory remarks and raised her voice, thereby causing disturbance in his court; and that the inconvenience suffered by the offended party was too insignificant in comparison with the drastic action taken against respondent, it is believed that the harsh effects of his separation may now be softened.

Wherefore, and upon the recommendation of the Department of Justice, Administrative Order No. 245 dated December 23, 1953, is hereby modified by considering Atty. Nemesio F. Ganan, Sr. as having resigned from office effective February 3, 1954, without prejudice to the payment of him of the money value of his accumulated leaves and/or retirement benefits, if any, he may be entitled to under the law.

Done in the City of Manila, this 12th day of December, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) **FERDINAND E. MARCOS**  
President of the Philippines

By the President:

(Sgd.) **ALEJANDRO MELCHOR**  
Executive Secretary

