

SECOND DIVISION

[G.R. NO. 146721, September 15, 2006]

**MAURA PASCUAL, PETITIONER, VS. CONRADO FAJARDO,
SUBSTITUTED BY ANTONIO, CONRADO, JR., ALICIA, CORAZON,
AND LEONIDA, ALL SURNAMED FAJARDO AND DANIEL T.
GREGORIO, RESPONDENTS.**

DECISION

SANDOVAL-GUTIERREZ, J.:

Before us for resolution is the Petition for Review on Certiorari under Rule 45 of the 1997 Rules of Civil Procedure, as amended, assailing the Decision^[1] dated September 14, 2000 of the Court of Appeals in CA-G.R. CV No. 50921.

The facts as found by the Court of Appeals are:

From 1971 to 1991, Conrado Fajardo, herein respondent, and Maura Pascual, petitioner, lived together as husband and wife without the benefit of marriage. On October 15, 1982, respondent purchased from Josefina Jacinto a parcel of land^[2] located in Sta. Barbara, Baliuag, Bulacan, with an area of 13,929 square meters, covered by Transfer Certificate of Title (TCT) No. T-41670. The parties executed the corresponding Deed of Sale witnessed, among others, by Daniel T. Gregorio, also a respondent. It was executed in Malolos, Bulacan and notarized by Atty. Elenita A. Corpus.

Sometime in 1991, respondent Fajardo found several falsified documents perpetrated by petitioner transferring the ownership of his property. These are:

- a) Deed of Absolute Sale dated August 2, 1978 executed by and between Josefina Jacinto, as vendee, and respondent Conrado Fajardo, as vendor, involving the subject property;
- b) Deed of Absolute Sale dated August 3, 1978 of a 1,000-square meter portion of the subject property conveyed by respondent to petitioner;
- c) Deed of Absolute Sale dated August 6, 1978 of another 1,000-square meter portion of the same property transferred by respondent to petitioner; and
- d) Deed of Absolute Sale dated August 8, 1978 involving a house and lot located on a 1,000-square meter portion of the same property transferred by respondent to petitioner.

All these documents were executed in Cabanatuan City and notarized by Atty. Primitivo B. Punzalan.

Upon investigation, respondent also found that petitioner caused the registration in her name of TCT No. 288789 issued by the Register of Deeds of Bulacan on October 11, 1984 covering another 3,000-square meter portion of the property.

Enraged by such findings, respondent, in January 1991, decided to separate from petitioner. Thereafter, he filed with the Office of the Provincial Prosecutor of Bulacan a complaint against her. In turn, the Provincial Prosecutor, finding probable cause, charged her with falsification of private documents before the Regional Trial Court (RTC), same Province.

Subsequently, respondents Conrado Fajardo and Daniel Gregorio filed with the RTC, Branch 11, Malolos, Bulacan, a complaint for nullification of the questioned Deeds of Sale, cancellation of TCT No. 288789, and damages against petitioner, docketed as Civil Case No. 276-M-91.

On July 10, 1991, respondent Conrado Fajardo died. He was substituted by his legitimate children, namely: Antonio, Conrado, Jr., Alicia, Corazon, and Leonida, all surnamed Fajardo.

On January 18, 1996, after hearing, the trial court rendered a Decision^[3] in favor of respondents and against petitioner. The dispositive portion reads:

WHEREFORE, judgment is hereby rendered in favor of the plaintiffs and against the defendant:

- 1) Declaring the Deed of Absolute Sale executed by Josefina Jacinto and Conrado Fajardo on August 2, 1978 at Cabanatuan City null and void;
- 2) Declaring the three (3) Deeds of Absolute Sale executed between Conrado Fajardo and defendant on August 3, 1978 and August 6, 1978, respectively, null and void;
- 3) Ordering the cancellation of Transfer Certificate of Title No. T-288789 in the Register of Deeds of Bulacan and reconveyance to herein plaintiffs the property consisting of 3,000 square meters including the residential house and seven (7) door apartment;
- 4) Directing defendant to account for and return all the proceeds of the monthly rentals she has collected from the tenants to herein plaintiffs, substituted heirs of Fajardo;
- 5) Directing defendant to pay the plaintiffs, substituted heirs of Conrado Fajardo, namely: Antonio, Conrado, Jr., Alicia, Corazon and Leonida, all surnamed Fajardo:
 - a) the amount of P200,000.00 as actual damages;
 - b) the amount of P200,000.00 as moral damages;
 - c) the amount of P100,000.00 as exemplary damages;