

## FIRST DIVISION

[ G.R. No. 127405, September 20, 2001 ]

**MARJORIE TOCAO AND WILLIAM T. BELO, PETITIONERS, VS.  
COURT OF APPEALS AND NENITA A. ANAY, RESPONDENTS.**

### ***RESOLUTION***

**YNARES-SANTIAGO, J.:**

The inherent powers of a Court to amend and control its processes and orders so as to make them conformable to law and justice includes the right to reverse itself, especially when in its honest opinion it has committed an error or mistake in judgment, and that to adhere to its decision will cause injustice to a party litigant.<sup>[1]</sup>

On November 14, 2001, petitioners Marjorie Toca and William T. Belo filed a Motion for Reconsideration of our Decision dated October 4, 2000. They maintain that there was no partnership between petitioner Belo, on the one hand, and respondent Nenita A. Anay, on the other hand; and that the latter being merely an employee of petitioner Toca.

After a careful review of the evidence presented, we are convinced that, indeed, petitioner Belo acted merely as guarantor of Geminesse Enterprise. This was categorically affirmed by respondent's own witness, Elizabeth Bantilan, during her cross-examination. Furthermore, Bantilan testified that it was Peter Lo who was the company's financier. Thus:

Q You mentioned a while ago the name William Belo. Now, what is the role of William Belo with Geminesse Enterprise?

A William Belo is the friend of Marjorie Toca and he was the guarantor of the company.

Q What do you mean by guarantor?

A He guarantees the stocks that she owes somebody who is Peter Lo and he acts as guarantor for us. We can borrow money from him.

Q You mentioned a certain Peter Lo. Who is this Peter Lo?

A Peter Lo is based in Singapore.

Q What is the role of Peter Lo in the Geminesse Enterprise?

A He is the one fixing our orders that open the L/C.

Q You mean Peter Lo is the financier?

A Yes, he is the financier.

Q And the defendant William Belo is merely the guarantor of Geminesse Enterprise, am I correct?