

## THIRD DIVISION

[ A.M. No. P-96-1210, May 07, 1997 ]

**RONA S. QUIROZ, COURT STENOGRAPHER, REGIONAL TRIAL COURT OF MANILA, BRANCH 18, COMPLAINANT, VS. CRISTETA D. ORFILA, COURT AIDE, REGIONAL TRIAL COURT OF MANILA, BRANCH 18, RESPONDENT, CRISTETA D. ORFILA, COMPLAINANT, VS. RONA S. QUIROZ, RESPONDENT.**  
**D E C I S I O N**

**PANGANIBAN, J.:**

Employees in the government service are bound by the rules of proper and ethical behavior. They are expected to act with self-restraint and civility at all times, even when confronted with rudeness and insolence.

This admonition is echoed in these twin administrative cases which were begun by a complaint of Rona S. Quiroz, a stenographer of the Regional Trial Court of Manila, Branch 18 against Cristeta D. Orfila, a court aide.

### The Facts

On February 23, 1996, Senior Deputy Court Administrator Reynaldo L. Suarez received a letter-complaint<sup>[1]</sup> from Quiroz charging Orfila with conduct prejudicial to the best interest of the service and with pursuing an unauthorized private business inside court premises.<sup>[2]</sup> Quiroz averred that on February 20, 1996 at around 7:30-8:30 a.m., she sustained physical injuries caused by Orfila during a heated argument and scuffle between themselves. Aside from this, Quiroz also complained that Orfila was vending snacks inside the court premises thereby disturbing office functions.

The complaint was referred to Presiding Judge Perfecto A.S. Laguio, Jr. of Branch 18, RTC of Manila, for appropriate action, report and recommendation.<sup>[3]</sup> Judge Laguio directed Orfila to comment.<sup>[4]</sup> In her Comment or *Kontra-Salaysay*,<sup>[5]</sup> Orfila stated that in the span of her thirteen years of service in the court, she had never been criminally or administratively charged with any offense and that her relationship with the other court personnel was peaceful and harmonious. She admitted to selling snacks to augment her meager salary, but denied turning the office into a *sari-sari* store.

In her Reply (With Opposition),<sup>[6]</sup> Quiroz controverted Orfila's *Kontra-Salaysay*, stating that:

2) Contents of the said Counter-Affidavit (Kontra Salaysay) nos. 15-28, are indeed, FRAUD with some 'alibis' x x x as a matter of fact, she occupies some portions of the staff room for her 'sari-sari store', plus the chamber room and the comfort room for her convenience, together with

the office refrigerator with Property No. (PN) RTC 1413-1 (B 18) which she locks before leaving the premises every late afternoon. This matter has been brought to the Chief of the City Security Force, Manila City Hall, thru Lt. Felixberto Peña, Deputy Chief, City Security Force; with the Investigation Report dated January 30, 1995 of SO1 Pablito S. Bulotano, CSF Investigator, Manila City Hall, regarding the Complaint of a Concerned Citizen of the eatery in Branch 18, RTC, Manila, (xerox copies of the 15 photographs of the 'sari-sari store' of Cristeta D. Orfila are hereto attached marked as Exhs. 'C', 'C-1' to 'C-14', inclusive; together with the Investigation Report dated January 30, 1995 also marked in evidence as Exh. 'D'); and

3) Contents of Counter-Affidavit (Kontra Salaysay) nos. 29 to 40, are in fact, very irrelevant, x x x on the ground that she was the one who uttered bad words against me. Although, I have the tape (which is inadmissible before the Court) for one-hour argument last February 20, 1996, the same is presently in my possession. x x x."

On June 5, 1996, Judge Laguio, Jr. submitted his Report and Recommendation to this Court. Pertinent portions of said report are quoted, as follows: [7]

"x x x (O)n February 19, 1996, the respondent (employed as Court Aide), reported x x x that when she arrived in the office that Monday morning, she noticed that the door of the courtroom was left unlocked. Since the undersigned was aware that the complainant and another employee, Gertrudes Ygrubay, were the ones that worked in the office on Saturday, February 17, 1996, he summoned them to his office and asked them about the report of the respondent. Although the two employees claimed that they locked the courtroom door before leaving the office on February 17, 1996, the undersigned admonished them to make sure in the future that the office doors were properly locked, before leaving.

The complainant resented the respondent's actuation and showed it in her attitude towards the respondent.

On the morning of February 20, 1996, at around 7:00 o'clock, the respondent and her husband arrived in the office. They noticed debris and crumpled papers scattered in the office. While they were cleaning the office, the respondent was asked by her husband why there were garbage in spite of the fact that she had cleaned the place the previous day. At this point, the complainant arrived with a turned-on portable tape recorder, (she recorded the entire incident, Exhibit "G"). the respondent continued conversing with her husband by telling him to just clean the place, because she is only a lowly employee. The complainant butted in and confronted the respondent if she was blaming her (complainant), for the scattered garbage. The respondent a(d)monished the complainant not to interfere, because she was talking to her husband, not to her. The complainant got mad and persisted in asking whether the respondent was blaming her for the debris. The complainant further told the respondent: "Ganyan ka naman pati ang mga bukas na pinto ng opisina sinusumbong mo kay Judge at pinagsasabi mo rin mayroon kaming

ginagawang kalokohan.” The respondent explained that she did not accused her, or anybody in the office of any wrong doing in connection with the incident she reported to the Judge. One thing led to another and a heated exchange of words, curses, insults and recriminations ensued between the two. At the height of the arguments, the complainant suddenly threw her glass paperweight, Exhibit “1”, at the respondent, hitting the latter’s right arm and jade bracelet, Exhibit “2”, and thereby damaging a portion thereof, Exhibit “2-A”. Afterwhich, the complainant grabbed a pointed marble paper-weight and attempted to hurl it at the respondent, but the latter held the two hands of the former and they grappled with each other for the possession of the pointed marble paper weight until the respondent succeeded in snatching it from the complainant.

As a result of the scuffle, the complainant sustained scratches on her face and right hand, which lead (sic) to the filing of criminal case against respondent for physical injuries.

On complainant’s accusations of the alleged use by the respondent of the court’s office as a “sari-sari” such assertion is a gross exaggeration and misrepresentation. The respondent admitted having brought foodstuff to the office and sold them to her co-employees for their snacks and/or lunch to augment her meager income. But she transacted her private business during breaktime in discreet and considerate manner. She did not disturb or inconvenient (sic) the other employees in the office.”

Judge Laguio, Jr. reported that Orfila had been competent, upright, efficient and hardworking during her thirteen years of service in the court and had stopped vending food inside the court premises upon being advised of its illegality. Since such acts constitute a light offense under civil service rules, he recommended that Orfila be reprimanded.

In view of the report of Judge Laguio, Jr. showing facts indicting both complainant and respondent, we deemed Orfila’s comment as a countercharge and Quiroz’ reply as a counter-comment.

The Office of the Court Administrator (OCA), in its Memorandum dated July 10, 1996,[8] found that both court employees exhibited belligerent behavior contrary to the proper conduct and decorum expected of them. It recommended that Orfila and Quiroz be fined P1,000.00 each for discourtesy and conduct prejudicial to the best interest of the service and for Orfila’s unauthorized private business.

### **Issue**

Does the aforesaid conduct of both Court Stenographer Quiroz and Court Aide Orfila warrant the imposition of administrative action?

### **The Court’s Ruling**

The Court agrees with the OCA and finds the conduct of both Quiroz and Orfila short of the high standards of the judicial service.