

## FIRST DIVISION

[ G.R. No. 219525, August 06, 2018 ]

**MARIA THERESA B. BONOT, PETITIONER, V. EUNICE G. PRILA,  
RESPONDENT.**

### D E C I S I O N

**TIJAM, J.:**

This petition for review on *certiorari*<sup>[1]</sup> under Rule 45 of the Rules of Court assails the Decision<sup>[2]</sup> dated October 29, 2014 and Resolution<sup>[3]</sup> dated June 26, 2015 of the Court of Appeals (CA) in CA-G.R. SP No. 130034 which reversed and set aside the Decisions dated October 25, 2012<sup>[4]</sup> and April 8, 2013<sup>[5]</sup> of the Civil Service Commission (CSC) dismissing the administrative complaint for Grave Misconduct filed by respondent Eunice G. Prila (Prila) against petitioner Maria Theresa B. Bonot (Dra. Bonot).

#### Facts of the Case

Sometime in March 2012, Prila, who then worked as Administrative Aide III at the Central Bicol State University of Agriculture (CBSUA), was informed by her colleagues that Dra. Bonot, the Dean of the College of Arts and Sciences at CBSUA, uttered defamatory statements against her. This prompted Prila to file an administrative complaint<sup>[6]</sup> against Dra. Bonot for Grave Misconduct before the Civil Service Commission Regional Office No. V (CSCRO5) on August 9, 2012, charging her of the following act:

In March 2012, Mrs. Francia Alanis, Mrs. Evelyn Rivero, and other Arts and Science Teachers and Staff of Dra. Bonot informed me that Dra. Maria Theresa Bonot is angry at me and said in the vernacular defamatory words against me [in] her office, to wit: "DEMONYADA INI SI EUNICE PRILA! DAING SUPOG NA MARAY! PIGPAPANTASYAHAN NIYA AN AGOM KO! MAYONG IBANG PADANGAT AN AGOM KO, AKO SANA! TARANTADA PALAN SIYA!" (Eunice Prila is a devil! She is shameless! She is fantasizing my husband! My husband has no other love, only me! She is crazy!).<sup>[7]</sup>

To support her charge against Dra. Bonot, Prila submitted a sworn Preliminary Inquiry<sup>[8]</sup> dated July 23, 2012 stating that she was sexually harassed by Dr. Alden Bonot (Dr. Bonot), the husband of herein respondent and the Campus Administrator of CBSUA, sometime in February 2012. On the said date, Prila claimed that Dr. Bonot instructed her to open his laptop, showed her a picture of a woman wearing a bikini, and asked inappropriate questions about her body. Shortly thereafter, Prila was transferred to another office upon her request. Prila alleged that Dra. Bonot made defamatory utterances against her because of the said incident.

The CSCRO5, acting on Prila's complaint, ordered Dra. Bonot to submit her counter-affidavit together with affidavits of her witnesses and other documentary evidence, if any.<sup>[9]</sup> In compliance thereto, Dra. Bonot filed her Counter-Affidavit<sup>[10]</sup> on September 20, 2012 together with affidavits<sup>[11]</sup> of her witnesses, namely, Maricel Grajo (Grajo), Doreen Arellano (Arellano), Elvie B. Bornel (Bornel), and Diane N. Solis (Solis). Dra. Bonot raised the defense that the accusatory statements of Prila against her were not based on the personal knowledge of Prila and were mere hearsay. In support thereof, Grajo, Arellano, Bornel, and Solis, all employees of CBSUA, averred that they had never heard Dra. Bonot utter any defamatory statement against any employee, including Prila, during the period stated in Prila's complaint.<sup>[12]</sup>

### **Ruling of the CSC**

On October 25, 2012, the CSCRO5 rendered a Decision<sup>[13]</sup> dismissing the complaint of Prila, stating that her allegations against Dra. Bonot were baseless and completely hearsay. The CSCRO5 further held that no witness attested to the truth of Prila's accusations against Dra. Bonot, and that the complaint must fail in light of the affidavits of Grajo, Arellano, Bornel, and Solis appended to the counter-affidavit of Dra. Bonot.

On November 27, 2012, Prila filed an Entry of Appearance with Verified Motion for Reconsideration<sup>[14]</sup> alleging that the summary dismissal of her complaint was tantamount to deprivation of her constitutional right to due process as she was denied the opportunity to substantiate her charge by adducing additional evidence. In the said motion for reconsideration, Prila attached the affidavits of Francia Alanis (Alanis) and Evelyn Rivero (Rivero) to corroborate her statements against Dra. Bonot.<sup>[15]</sup>

On April 8, 2013, the CSC, treating the motion for reconsideration filed by Prila as a petition for review to conform with the Revised Rules on Administrative Cases in the Civil Service, rendered its Decision<sup>[16]</sup> which affirmed the decision of the CSCRO5. In arriving at its conclusion that the complaint of Prila should be dismissed for want of merit, the CSC considered the statements of Prila and her witnesses vis-a-vis the refutation of said statements by Dra. Bonot and her own witnesses, and found that the evidence adduced by both parties were evenly balanced. In so ruling, the CSC applied the equipoise doctrine, which provides that when the evidence for the prosecution and defense are evenly balanced, the appreciation of such evidence calls for tilting of the scales in favor of the accused.<sup>[17]</sup>

Aggrieved, Prila filed a Verified Petition for Review<sup>[18]</sup> under Rule 43 of the Rules of Civil Procedure before the CA on May 22, 2013 to assail the decision of the CSC dismissing her complaint.

### **Ruling of the CA**

On October 29, 2014, the CA promulgated its Decision<sup>[19]</sup> reversing the rulings of the CSC and the CSCRO5 and remanding the case to the latter to allow Prila the opportunity to substantiate her allegations in the complaint. The CA found that the CSC acted arbitrarily when it held that Prila did not substantiate her accusations against Dra. Bonot without giving the former the opportunity to do so. Moreover, the CA held that the CSC deprived Prila her constitutional right to due process while

affording the same to Dra. Bonot by allowing her to answer and to be heard on the charges against her. The dispositive portion of the CA Decision reads:

**WHEREFORE**, premises considered, the petition is **GRANTED**. Accordingly, the assailed Decisions dated 25 October 2012 and 8 April 2013 of the [CSC] are hereby **REVERSED AND SET ASIDE**. This case is remanded to the [CSCRO5], Rawis, Legazpi City, to afford [Prila] opportunity to substantiate her complaint against [Dra. Bonot]. No costs.

**SO ORDERED.**<sup>[20]</sup>

In a Resolution<sup>[21]</sup> dated June 26, 2015, the CA denied the motion for reconsideration filed by Dra. Bonot, finding no compelling reason stated therein to modify or reverse its earlier decision. Hence, this Petition for Review on *Certiorari*.

### **Issue**

The sole issue to be resolved by this Court is whether the CA erred in finding that Prila was deprived her right to due process by the CSC.

### **Ruling of the Court**

The petition is meritorious.

As can be gleaned from the assailed decision of the CA, the *ratio decidendi* in its reversal of the CSC's dismissal of the complaint lies in the supposed deprivation of Prila's fundamental right to due process. While We agree with the finding of the CA that fair and reasonable opportunity must be given to both parties to explain their respective sides of the controversy and present evidence in support thereof, the records show that the CSC had already taken the supporting evidence submitted by Prila (*i.e.*, the affidavits of Alanis and Rivero) into consideration when it rendered its Decision<sup>[22]</sup> dated April 8, 2013. In the last paragraph of the said decision, the CSC stated:

**The accusatory allegation of Prila depend on the sworn statements of Alanis and Rivero, who alleged that [Dra.] Bonot personally uttered to Alanis defamatory statements directed at the private complainant.** Traversing the claim of Prila and her witnesses, however, are the categorical statements of [Dra.] Bonot's own witnesses, who were one in saying that they never heard her speak, at any instance, slanderous remarks against Prila. **In this given circumstance, the Commission notes that the evidence respectively adduced by the contending parties appear to be evenly balanced.** That is, the evidence of [Dra.] Bonot stands in four-square as against Prila's evidence. On this score, the equipoise doctrine invariably finds application. Essentially, this doctrine provides that when the evidence of the prosecution and the defense are so evenly balanced, the appreciation of such evidence calls for tilting of the scales in favor of the accused x x x. Following such doctrine, the instant complaint against [Dra.] Bonot must be struck down.<sup>[23]</sup> (Citations omitted and emphasis ours)

A perusal of the records of the case reveals that Prila already appended the affidavits of Alanis and Rivero to the motion for reconsideration she filed before the