

SECOND DIVISION

[G.R. No. 165155, April 13, 2010]

REGIONAL AGRARIAN REFORM ADJUDICATION BOARD, OFFICE OF THE REGIONAL ADJUDICATOR, SAN FERNANDO, PAMPANGA, CECILIA MANIEGO, JOSE BAUTISTA, ELIZA PACHECO, JUANITO FAJARDO, MARIO PACHECO, MARIANO MANANGHAYA AS HEIR OF ANTONIO MANANGHAYA, MARCIANO NATIVIDAD, ROBERTO BERNARDO IN HIS PERSONAL CAPACITY AND AS HEIR OF PEDRO BERNARDO, EDILBERTO NATIVIDAD, AS HEIR OF ISMAEL NATIVIDAD, JEFFREY DIAZ AS HEIR OF JOVITA R. DIAZ, RODOLFO DIMAAPI, ALBERTO ENRIQUEZ, BENIGNO CABINGAO, MARIO GALVEZ, DELFIN SACDALAN, AS HEIR OF AVELINO SANTOS, PETITIONERS,^[1] VS. COURT OF APPEALS, VERONICA R. GONZALES, DEOGRACIAS REYES, LEONARDO REYES, ISABELITA BALATBAT, MANUELA REYES, WILHELMINA ALMERO, ARTURO REYES, EPIFANIO REYES, GLORIA REYES, MARIO REYES, TERESITA BALATBAT, LYDIA BALATBAT, FERNANDO BALATBAT, VICENTE BALATBAT, GILBERTO REYES, RENE REYES, EMILIA DUNGO, BRENDA CANCIO, VICTOR REYES, AND EDGARDO REYES, REPRESENTED BY VERONICA R. GONZALES, FOR HERSELF AND AS ATTORNEY-IN-FACT, RESPONDENTS.

D E C I S I O N

DEL CASTILLO, J.:

Rules of procedure are tools to facilitate a fair and orderly conduct of proceedings. Strict adherence thereto must not get in the way of achieving substantial justice. So long as their purpose is sufficiently met and no violation of due process and fair play takes place, the rules should be liberally construed, especially in agrarian cases.

This Petition for *Certiorari*^[2] assails the June 9, 2004 Decision^[3] of the Court of Appeals (CA) in CA-G.R. SP No. 79304 which granted the Petition for *Certiorari* of respondents and held that petitioners' notices of appeal are mere scrap of paper for failure to specify the ground for the appeal; and for being forged. Also assailed is the August 31, 2004 Resolution^[4] denying petitioners' motion for reconsideration. The assailed Decision disposed as follows:

WHEREFORE, premises considered, the Petition is GRANTED and the Notices of Appeal filed by the private respondents before the public respondent are hereby decreed without legal effect.

SO ORDERED.^[5]

Factual Antecedents

Respondents are co-owners of several parcels of land primarily devoted to rice production consisting of 58.8448 hectares, located at Sta. Barbara, Baliuag, Bulacan and covered by Transfer Certificate of Title (TCT) Nos. T-158564, T-215772, T-215776, T-215777, T 215775. Petitioners are in actual possession of the said land as tillers thereof. According to respondents, petitioners are agricultural lessees with the obligation to pay annual lease rentals. On the other hand, petitioners aver that they are farmer-beneficiaries under Presidential Decree 27, who have been granted Certificates of Land Transfer (CLTs) and (unregistered) emancipation patents (EPs).

On March 6, 2002, respondents filed a complaint for ejectment against petitioners for non-payment of rentals before the Department of Agrarian Reform Adjudication Board (DARAB), Office of the Regional Adjudicator, San Fernando, Pampanga. They alleged that petitioners failed to pay and remit the agreed lease rentals to respondents since 1994, or for a period of eight years. The case was docketed as DARAB Case No. R-03-02-0213-Bul'02.

Among the named defendants were Avelino Santos (Avelino) and Pedro Bernardo (Pedro), who were already deceased at the time of the filing of the complaint. Per the death certificates presented before the Regional Adjudicator, Avelino died on December 29, 1997, while Pedro passed away on July 25, 1999. Thus, when the complaint for ejectment was filed in 2002, the *actual* tillers on the land were already the successors-in-interest of Avelino and Pedro, namely Delfin Sacdalan (Delfin) and Roberto Bernardo (Roberto), respectively. Despite such disclosure, no amendment to implead the real parties-in-interest was made to the complaint. Instead on May 9, 2002, the Regional Adjudicator ordered the respective legal heirs to substitute the named decedents in the case. For some reason, no formal substitution of party litigants took place either. However, it is clear from the records, and neither party disputes, that notwithstanding the non-amendment of the complaint and the absence of a formal substitution, the heirs of Avelino and Pedro appeared and participated in the proceedings below. The position papers of respondents^[6] as well as petitioners^[7] both named Delfin and Roberto as the heirs of the two decedents and parties to the case.^[8] Thus, the records support a conclusion that the respondents acquiesced to the participation of the said heirs as the real parties-in-interest.

Rulings of the Regional Adjudicator

a) Decision dated January 23, 2003

After the submission of the parties' respective position papers, Regional Adjudicator Fe Arche Manalang (Manalang) issued a Decision^[9] dated January 23, 2003 in favor of respondents, the dispositive portion of which states:

WHEREFORE, premises considered, judgment is hereby rendered:

1. Severing and extinguishing the existing tenancy/agricultural leasehold relationship existing between the plaintiffs-landowners and the defendants over the landholdings described in paragraph 2

of the complaint.

2. Directing the defendants and all persons claiming rights under them to:
 - a. Vacate the landholdings in question and peacefully surrender possession thereof to the plaintiffs;
 - b. Remove at their own expense all structures and other improvements introduced thereon if any;
 - c. Continue to pay to the plaintiffs the annual leasehold rentals due thereon until the latter are fully restored to the premises in question.
3. Directing the said defendants to pay to the plaintiffs, jointly and severally the amount of P300,000.00 as and by way of liquidated damages;
4. Denying all other claims for lack of basis; and
5. Without pronouncement as to costs.

SO ORDERED.

The Decision explained that with the exemption of the subject properties from the coverage of the Comprehensive Agrarian Reform Program (CARP), as evidenced by the December 18, 1992 Order issued by Department of Agrarian Reform (DAR) Regional Director Antonio M. Nuesa (which also directed the cancellation of the issued CLTs/EPs in the proper forum), petitioners could only retain their status as agricultural lessees if they complied with their statutory obligations to pay the required leasehold rentals when they fell due. Since all the petitioners failed to *prove* that they complied with their rental obligations to respondents since 1994, the Regional Adjudicator held that they could no longer invoke their right to security of tenure.

Aggrieved by the adverse Decision, petitioners filed two separate notices of appeal; one was filed on February 28, 2003^[10] by petitioners Marciano Natividad, Alberto Enriquez, Benigno Cabingao, and Rodolfo Dimaapi (*first group*); while the other was filed on March 5, 2003 by petitioners Cecilia Maniego, Jose Bautista, Eliza Pacheco, Roberto Bernardo, Ismael Natividad,^[11] Juanito Fajardo, Antonio Mananghaya,^[12] Jovita R. Diaz,^[13] Mario Pacheco, Emilio Peralta, Mario Galvez, *and the two decedents* Pedro and Avelino (*second group*).^[14] Both notices of appeal were similarly worded thus:

DEFENDANTS, unto this Honorable Board, hereby serve notice that they are appealing the decision rendered in the above-entitled case, which was *received on February 18, 2003* to the DARAB, Central Office at Diliman, Quezon City on the grounds of *question of law and fact*.

Unlike their previous pleadings, which were all signed by Atty. Jaime G. Mena (Atty. Mena), petitioners' notices of appeal were not signed by a lawyer.

On March 6, 2003, respondents filed a motion to dismiss the appeal^[15] and an *ex-parte* motion for the issuance of a writ of execution and/or partial implementation of the decision against non-appealing defendants.^[16] They presented three grounds for the dismissal of the appeal: first, the two notices did not state the grounds relied upon for the appeal; second, the March 5, 2003 Notice of Appeal was filed beyond the reglementary period; third, the March 5, 2003 Notice of Appeal contained the forged signatures of the deceased defendants Avelino and Pedro.

b) May 6, 2003 Order

On May 6, 2003, the Regional Adjudicator issued an Order^[17] giving due course to the appeal, except with respect to the decedents Avelino and Pedro, whose signatures were held to be falsified. Thus, a writ of execution was issued against the non-appealing defendants and the deceased defendants.

The petitioners received the above Order only on May 8, 2003, together with the writ of execution,^[18] which was promptly implemented on the same day and on May 10, 2003.^[19]

Dissatisfied with the May 6, 2003 Order of the Regional Adjudicator, both the respondents and the petitioners whose appeal was disallowed, moved for reconsideration of the order. Respondents reiterated^[20] that the Regional Adjudicator should not have given due course to the appeal because it did not adhere strictly with Section 2, Rule XIII of the DARAB Rules of Procedure; and that it was a dilatory or frivolous appeal that deserved outright dismissal.

On the other hand, the petitioners who were included in the writ of execution, including the heirs of Avelino and Pedro, now represented by the DAR-Legal Counsel Atty. Dauphine B. Go,^[21] argued that the May 6, 2003 Order was hastily executed, without giving them an opportunity to question its correctness. They pointed out that Pedro's signature was not forged, since what appears thereon is actually the name of his widow, Pilar Bernardo (Pilar).^[22] As for the signature of Avelino, which was executed by his widow, Jovita Santos (Jovita), the same was an innocent error since she did not know which name to write, having been unaided by counsel. Jovita maintained that she simply thought that writing her deceased husband's name on the Notice of Appeal would relay the intention of the heirs to appeal the adverse decision.^[23]

A hearing was conducted on July 3, 2003,^[24] where the heirs of Avelino and Pedro personally appeared to explain the alleged falsification of signatures. Pilar, the widow of Pedro, explained that she did not sign the Notice of Appeal herself, but that she allowed her son Roberto to sign it for her. Roberto confirmed his mother's testimony and admitted that he personally signed all documents and pleadings on behalf of his mother, Pilar. Their testimonies are verified by the records. As for Jovita, widow of Avelino, she admits signing her deceased husband's name in all pleadings. All of them explained that their only intention was to sign the pleadings

on behalf of their deceased relatives so as to be able to participate in the proceedings.

c) August 5, 2003 Order

Based on these testimonies, Regional Adjudicator Manalang allowed the appeal of the heirs of the two decedents and nullified the writ of execution as regards them in an Order dated August 5, 2003.^[25] It resolved the two motions in this wise:

Plaintiffs in their first-cited motion lightly brushed off the defendants' Notice of Appeal as a mere scrap of paper but [do] not elaborate how they arrived at this conclusion, apart from a general statement that the same [do] not assign any specific errors in the findings of fact and conclusions of law made in the decision being challenged.

While this may be so, it is not for this Office to pass on the merits of the appeal. All that it is called upon to do is to determine whether the same was seasonably filed and perfected by the appellants within the prescribed reglementary period. With an affirmative finding on this aspect, nothing more remains to be done except to allow the appeal to run its full course.

x x x x

Evaluating the parties' conflicting claims x x x this Office finds for the plaintiffs x x x. However, with the voluntary confessions of Pilar Bernardo and Jovita Santos x x x who are the widows of the deceased tenants Pedro Bernardo and Avelino Santos that they really mean to appeal the adverse decision affecting their late spouses' farmholdings, any perceived legal defect in the manner of affixing their signatures on the questioned Notices of Appeal must give way to the greater demands of justice and equity. x x x

x x x x

FOREGOING premises considered, Order is hereby issued:

1. Denying the plaintiffs' Motion for Reconsideration filed on May 13, 2003;
2. Noting without action the same plaintiffs' Motion for Execution Pending Appeal filed on May 14, 2003;
3. Giving due course to the Motion for Reconsideration (from the Order of May 6, 2003 and Writ of Execution dated May 8, 2003) filed by the *Heirs of Pedro Bernardo, Heirs of Avelino Santos*, and of Ismael Natividad^[26] and thereby allowing their appeal to the exclusion of the other defendants-movants;