

## FIRST DIVISION

[ G.R. NO. 141924, January 23, 2007 ]

**VERNON T. REYES, PETITIONER, VS. REPUBLIC OF THE  
PHILIPPINES, RESPONDENT.**

### D E C I S I O N

**SANDOVAL-GUTIERREZ, J:**

For our resolution is the instant Petition for Review on Certiorari<sup>[1]</sup> assailing the Decision<sup>[2]</sup> dated October 21, 1999 and Resolution<sup>[3]</sup> dated February 15, 2000 of the Court of Appeals in CA-G.R. CV No. 57156, entitled "Vernon T. Reyes, *applicant-appellee*, versus Republic of the Philippines, *oppositor-appellant*."

On February 5, 1996, Vernon T. Reyes, herein petitioner, filed with the Regional Trial Court (RTC) of Tagaytay City, Branch 18 an application for confirmation and registration of his imperfect title over a parcel of land located in Silang, Cavite containing an area of 43, 514 square meters.

Petitioner alleged *inter alia* in his application that on December 24, 1992, he and the other grandchildren of the late Eusebio Vicente executed a Deed of Extra-Judicial Settlement wherein the land was adjudicated in his favor.

On April 4, 1997, after hearing, the trial court rendered its Judgment<sup>[4]</sup> approving petitioner's application.

Respondent Republic of the Philippines interposed an appeal to the Court of Appeals. In a Decision dated October 21, 1999, the appellate court reversed the RTC Judgment and dismissed petitioner's application for registration. The court also denied petitioner's motion for reconsideration in a Resolution dated February 15, 2000.

Hence, the present petition.

Petitioner contends that the Court of Appeals erred in holding that he failed to present incontrovertible evidence to prove that he has been in possession of the land in question for the length of time required by law.

Respondent Republic, on the other hand, maintains that petitioner failed to satisfy the requisite quantum of evidence in support of his application.

Section 48(b) of Commonwealth Act No. 141, as amended (Public Land Act), and Section 14(1) of Presidential Decree 1529, otherwise known as the Property Registration Decree, require that the applicants must prove that the land is alienable and disposable public land; and that they or through their predecessors in interest, have been in open, continuous, exclusive, and notorious possession and occupation