

2014 Decision³ in CA-G.R. SP No. 132989, the Court of Appeals found grave abuse of discretion on the part of respondent Judge in granting the accused's motion for preliminary investigation.

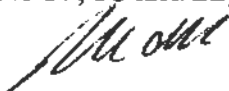
Meanwhile, there being no resolution on the preliminary investigation despite the lapse of the 60-day period, and pursuant to A.M. No. 11-6-10-SC which mandates the accused's arraignment upon the lapse of the 60-day period, complainant filed a Motion to Set Case for Arraignment. Upon comment of the accused, respondent Judge ordered the City Prosecution Office of Quezon City to conclude the on-going re-investigation. Thereafter, the City Prosecution Office resolved to affirm the earlier finding of probable cause.

On March 24, 2014, complainant filed a Motion for Issuance of Hold Departure Order, which motion remains unresolved. Meanwhile, the accused filed on March 28, 2014 an Omnibus Motion for Judicial Determination of Probable Cause, Recall of Warrant of Arrest, and Deferment of Proceedings, thereby prompting complainant to file a Comment/Opposition and a Motion for Inhibition.

Respondent Judge eventually arraigned the accused on June 9, 2014. However, instead of ordering the accused's commitment, and despite the offense being nonbailable, respondent Judge allowed the accused to go home. On June 13, 2014, the accused filed a Petition for Bail. During the bail hearing on June 24, 2014, respondent Judge found the filing thereof premature and issued a warrant of arrest against the accused. However, instead of committing the accused at the Quezon City Jail, he was instead detained at the Criminal Investigation and Detention Unit of Central Police District, Camp Karingal, Quezon City. Thereafter, respondent Judge scheduled the bail hearing on June 30, 2014 despite manifestation by complainant's counsel of his unavailability on said date.

During the June 30, 2014 bail hearing, respondent Judge declared the Petition for Bail submitted for resolution due to the absence complainant's counsel. On even date, respondent Judge issued an Order granting the bail petition and denying the motion for inhibition.

Finally, complainant claimed that respondent Judge attempted to fast-track the proceedings in the criminal case by re-scheduling the redirect examination of the prosecution's witness from February 17, 2015, as earlier agreed by the parties, to December 17, 18 and 22, 2014, in view of his impending retirement on December 29, 2014.



³ Id. at 27-37; penned by Associate Justice Isaias P. Dicedican and concurred in by Associate Justices Nina G. Antonio-Valenzuela and Victoria Isabel A. Paredes.

According to the complainant, the foregoing events clearly showed respondent Judge's gross inefficiency, incompetence, gross ignorance of the law, grave abuse of authority and evident partiality. Complainant argued that respondent Judge was guilty (1) of undue delay in resolving motions when he failed to resolve the motion for issuance of hold departure order within 90-days or despite lapse of nine months; (2) of gross ignorance of the law when he granted the accused's motion for preliminary investigation in violation of A.M. No. 11-6-10-SC since the accused was not a subject of a warrantless arrest or inquest proceedings; (3) of grave abuse of authority when he allowed the accused to go home after his arraignment for a nonbailable offense; (4) of gross ignorance of the law and evident partiality in granting the petition for bail despite complainant's pending motion for reconsideration and/or motion to set the hearing to another date; and, (5) of evident partiality when he failed to inhibit himself from further handling the case in view of his bias towards the accused.

In his Comment,⁴ respondent Judge countered that he should not be sanctioned for acts done in the performance of his functions as a judge. He claimed that the allegations against him are unfounded, malicious, and intended solely to harass and embarrass him, and to cause undue delay in the release of his retirement benefits. In particular, he adverted to A.M. No. 03-10-01-SC,⁵ which bars the filing of an administrative complaint "within six months before the compulsory retirement of a Justice or Judge."⁶ According to respondent Judge, the administrative complaint was filed barely a week before his compulsory retirement on December 29, 2014.⁷

Respondent Judge justified his failure to resolve the motion for issuance of hold departure order on the fact that the accused had already filed an omnibus motion for the judicial determination of probable cause, recall of warrant of arrest and deferment of proceedings. According to respondent Judge, he set for hearing the motion for issuance of hold departure order alongside the accused's omnibus motion in order to accord both the prosecution and the defense ample opportunity to exercise their right to due process.⁸

As regards his alleged failure to order the commitment of the accused after his arraignment and allowing him instead to go home, respondent Judge explained that there was yet no warrant issued for the arrest of the accused; moreover, a petition for bail had been filed; hence, there was no reason to detain the accused.



⁴ Id. at 123-128.

⁵ Resolution Prescribing Measures to Protect Members of the Judiciary from Baseless and Unfounded Administrative Complaints.

⁶ Id.

⁷ *Rollo*, p. 125.

⁸ Id. at 125.

With respect to the order granting bail to the accused, respondent Judge claimed that the same was not at all objected to by the public prosecutor during trial.⁹

As to the Order setting the re-direct examination of the prosecution witness to a date earlier than previously scheduled, respondent Judge claimed that he did so with the end in view of enabling the prosecution to finish the presentation of its evidence prior to his impending retirement; and that said Order was in line with the Constitutional right of the accused to a speedy trial.¹⁰

Finally, respondent Judge posited that Atty. Oliva had no personality to file this administrative complaint considering that it was Atty. Elmar Malapitan (Atty. Malapitan) who represented the complainant in the qualified theft case.

In sum, respondent prayed for the dismissal of the complaint.

Report and Recommendation of the Office of the Court Administrator (OCA)

In a Report¹¹ dated September 18, 2015, the OCA made the following evaluation:

On the charge of gross inefficiency, records show that there [was] delay in resolving the motion for issuance of the hold departure order. The motion was filed on 24 March 2014, however, respondent Judge had yet to resolve it. He rationalized his inaction by stating that, in his opinion, there was no need to issue a hold departure order since accused had filed an omnibus motion on 28 March 2014 and both motions were set for hearing to give the parties a chance to comment. The rules and jurisprudence are clear on the matter of delay. Failure to resolve cases and other matters within the reglementary period constitutes gross inefficiency and warrants the imposition of administrative sanction against the erring magistrate. x x x

On the charge that respondent Judge committed gross ignorance of the law when he granted the motion for preliminary investigation x x x, the records are bereft of evidence to show that respondent Judge, assuming that he erred, was motivated by bad faith, fraud, corruption, dishonesty in granting the motion. To constitute gross ignorance of the law, it is not enough that the decision, order or actuation of the judge in the performance of his official duties is contrary to existing law and jurisprudence. It must be established that he was moved by bad faith, fraud, dishonesty or corruption or had committed an error so egregious that it amounted to bad faith. Moreover, complainant already availed of a judicial



⁹ Id. at 126.

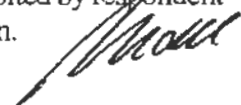
¹⁰ Id. unpaginated in between 126 and 127.

¹¹ Id. at 129-137.

remedy when it filed a Petition for Certiorari before the Court of Appeals x x x seeking to annul and set aside the resolution directing the Office of the City Prosecutor to conduct a preliminary investigation, which the Court of Appeals favorably acted upon. While the assailed Resolution was set aside, this is not enough to render respondent Judge liable for gross ignorance [of the law]. Jurisprudence is replete with pronouncements that not every error or mistake of a judge in the performance of his official duties renders him liable. As a matter of policy, in the absence of fraud, dishonesty or corruption, the acts of a judge in his judicial capacity are not subject to disciplinary action even though such acts are erroneous.

On the charge of grave abuse of authority for allowing accused Katipunan to go home after his arraignment instead of committing him directly to the City Jail, the same has no merit. Respondent Judge merely exercised his sound discretion in not immediately issuing the warrant of arrest and in suspending further proceedings pending reinvestigation of the case. x x x It is not obligatory, but merely discretionary, upon the investigating judge to issue a warrant for the arrest of the accused, even after having personally examined the complainant and his witnesses in the form of searching questions and answers, for the determination of whether a probable cause exists and whether it is necessary to arrest the accused in order not to frustrate the ends of justice, is left to his sound judgment or discretion.

On the charge of gross ignorance of the law and evident partiality for granting the petition for bail without conducting a hearing to prove whether the evidence of guilt is strong or not, which will form the basis for granting or denying the petition for bail, we agree with complainant. x x x In this case, when respondent Judge set the hearing for bail on 30 June 2014, the private prosecutor manifested his unavailability on the said date, but this notwithstanding, respondent Judge pushed through with the hearing. Immediately, complainant, through lawyer, filed an urgent motion for reconsideration explaining his absence during the 30 June 2014 hearing. Nonetheless, respondent Judge granted the petition for bail for failure of the private prosecutor and the witnesses to appear and in the absence of any objection from the public prosecutor. The law and settled jurisprudence demand that a hearing be conducted before bail could be fixed for the temporary release of the accused, if bail is at all justified. x x x The absence of any objection from the prosecution in such cases is not a basis for the grant of bail for the judge has no right to presume that the prosecutor knows what he is doing on account of the familiarity with the case. Said reasoning is tantamount to ceding to the prosecutor the duty of exercising judicial discretion to determine whether the guilt of the accused is strong. Judicial discretion is the domain of the judge before whom the petition for provisional liberty will be decided. The mandated duty to exercise discretion has never been reposed upon the prosecutor. There is gross ignorance because the need for hearing before bail is fixed/granted is so basic that respondent Judge ought to know that. So in this instance, good/bad faith is of no moment, unlike in the other instance of gross ignorance exhibited by respondent Judge when he granted the motion for preliminary investigation.



On the charge of evident partiality when respondent Judge failed to inhibit himself, the issue pertains to the second paragraph of Rule 137, Section 1 of the Rules of Court regarding voluntary inhibition of a judge, which states that 'a judge may, in the exercise of his sound discretion, disqualify himself from sitting in a case, for just or valid reasons other than those mentioned above.' Based on this provision, judges have been given the exclusive prerogative to recuse themselves from hearing cases for reasons other than those pertaining to their pecuniary interest, relation, previous connection, or previous rulings or decisions. The issue of voluntary inhibition in this instance becomes primarily a matter of conscience and sound discretion on the part of the judge.

On the charge of evident partiality when respondent Judge issued an order setting the case for special sessions, the same cannot stand in the absence of substantial evidence to support the same. In administrative proceedings, the complainant has the burden of proving by substantial evidence the allegations in his complaint. In the absence of evidence to the contrary, the presumption that the respondent has regularly performed his duties will prevail.

In sum, we hold that respondent Judge is administratively liable for inefficiency on account of his delay in resolving the motion for the issuance of the hold departure order. Under A.M. No. 01-8-10-SC, undue delay in rendering a decision is classified as a less serious charge punishable either by: (a) suspension from office without salary and other benefits for not less than one (1) nor more than three (3) months; or (b) a fine of more than Php10,000.00 but not exceeding Php20,000.00.

Respondent Judge is also liable for gross ignorance of the law for granting the petition for bail without the benefit of a hearing. Under A.M. No. 01-8-10-SC, gross ignorance of the law or procedure is classified as a serious charge and should be penalized by (a) dismissal from the service, forfeiture of all or part of the benefits as the Court may determine, and disqualification from reinstatement or appointment to any public office, including government-owned or controlled corporations. Provided, however, that the forfeiture of benefits shall in no case include accrued leave credits; (b) suspension from office without salary and other benefits for more than three [(3)] but not exceeding six (6) months; or (3) a fine of more than Php20,000.00 but not exceeding Php40,000.00.¹²

Pursuant to Section 50,¹³ Rule IV of the Revised Uniform Rules on Administrative Cases in the Civil Service, which directs the imposition of the penalty corresponding to the most serious charge in the event the respondent is found guilty of two (2) or more charges or counts, and in view of respondent Judge's retirement on December 29, 2014, the OCA recommended that respondent Judge be meted the penalty of fine in the amount of ₱40,000.00, for inefficiency on account of delay in resolving the motion for issuance of a hold departure order and gross ignorance of the law in granting the petition for bail without the benefit of a hearing, which amount shall be deducted from his retirement benefits.

¹² Id. at 133-136.

¹³ Incorrectly cited as Section 55.

Issue

Is respondent Judge guilty of gross ignorance of the law, gross inefficiency, grave abuse of authority, and evident partiality?

Ruling

We substantially adopt the findings and recommendations of the OCA, with the exception of its finding that respondent Judge acted properly in allowing the accused to go home after arraignment without bail.

We agree with the OCA that respondent Judge's act of granting the accused's Motion for Preliminary Investigation¹⁴ did not constitute gross ignorance of the law.

While the Order granting the Motion for Preliminary Investigation may not be proper inasmuch as respondent Judge based the Order on accused's bare allegation of non-receipt of notice from the Office of the Prosecutor,¹⁵ we opine that the same did not necessarily amount to gross ignorance of the law. There was no showing that respondent Judge issued the Order because of the promptings of fraud, dishonesty, corruption, malice, ill-will, bad faith or a deliberate intent to do injustice. Indeed, it is axiomatic that not all erroneous acts of judges are subject to disciplinary action. As this Court stressed in *Office of the Court Administrator v. Salise*:¹⁶

Indeed, it is settled that, unless the acts were committed with fraud, dishonesty, corruption, malice or ill will, bad faith, or deliberate intent to do an injustice, the respondent judge may not be [held] administratively liable for gross misconduct, ignorance of the law, or incompetence of official acts in the exercise of judicial functions and duties, particularly in the adjudication of cases. x x x

In *Sibulo v. Judge Toledo-Mupas*,¹⁷ this Court further explained:

Moreover, the fact that a judge failed to recognize a 'basic' or 'elementary' law or rule of procedure would not automatically warrant a conclusion that he is liable for gross ignorance. What is significant is whether the subject order, decision(,) or actuation of the judge unreasonably defeated the very purpose of the law or rule under consideration and unfairly prejudiced the cause of the litigants. x x x¹⁸

¹⁴ *Rollo*, pp. 22-24.

¹⁵ *Id.* at 35-36.

¹⁶ A.M. No. RTJ-18-2514, January 30, 2018. Citation omitted.

¹⁷ 577 Phil. 110 (2008).

¹⁸ *Id.* at 116-117.

However, we do not concur with the evaluation of the OCA that respondent Judge did not err in allowing the accused to go home after his arraignment. We are neither persuaded by respondent Judge's claim that there was no reason for him to detain the accused since there was yet no warrant issued for his arrest or that a petition for bail had been filed. Basic is the principle that upon setting a case for arraignment, the accused must have either been in the custody of the law¹⁹ or out on bail. Another basic principle is that the judge must conduct his own personal evaluation of the facts and circumstances which gave rise to the indictment, pursuant to Section 5, Rule 112 of the Rules of Court and Section 2, Article III of the 1987 Constitution.

Indeed, in the present case, respondent Judge should not have waited for the accused to file an omnibus motion for a judicial determination of probable cause. As this Court held in *Leviste v. Hon. Alameda*,²⁰ "[t]o move the court to conduct a judicial determination of probable cause is a mere superfluity, for with or without such motion, the judge is duty-bound to personally evaluate the resolution of the public prosecutor and the supporting evidence."²¹ Thus, the failure of respondent Judge to comply with this fundamental precept constituted gross ignorance of the law and procedure. His failure to heed this precept resulted in the said accused's arraignment, without the accused in custody of the law.

Likewise in point is this Court's teaching in *Guillen v. Judge Nicolas*,²² where it was stressed that:

[B]y setting the cases for arraignment and trial, respondent judge must have found probable cause to hold the accused for trial. [The judge] should have proceeded to examine in writing and under oath the complainants and [the] witnesses by searching questions and answers. The records do not show that the [judge] set the case for, or conducted, such examination preparatory to issuing a warrant of arrest. Neither [was] there any subpoena or order requiring the complainants or [the] witnesses to appear in court for such examination. The inevitable conclusion is that the respondent judge skipped this procedure.²³

Needless to say, the failure of respondent Judge to conduct a judicial determination of probable cause under Section 5, Rule 112 of the Rules of Court was exacerbated by his act in allowing the accused to go home (without bail) after arraignment. These acts were indicative of gross ignorance of the law and procedure for which respondent must be called to account.

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¹⁹ "Custody of the law is accomplished either by arrest or voluntary surrender x x x." *Miranda v. Tuliao*, 520 Phil. 907, 919 (2006). Citation omitted.

²⁰ 640 Phil. 620 (2010).

²¹ *Id.* at 648.

²² 360 Phil. 1 (1998).

²³ *Id.* at 12-13.

In addition, respondent Judge's failure to conduct a hearing on accused's Petition for Bail²⁴ constitutes gross ignorance of the law. It is axiomatic that a bail hearing is a must, despite the prosecution's lack of objection to the same. In *Balanay v. Judge White*,²⁵ we said:

It is basic, however, that bail hearing is necessary even if the prosecution does not interpose any objection or leaves the application for bail to the sound discretion of the court. Thus, in *Villanueva v. Judge Buaya*, therein respondent judge was held administratively liable for gross ignorance of the law for granting an *ex parte* motion for bail without conducting a hearing. Stressing the necessity of bail hearing, this Court pronounced that:

The Court has always stressed the indispensable nature of a bail hearing in petitions for bail. Where bail is a matter of discretion, the grant or the denial of bail hinges on the issue of whether or not the evidence on the guilt of the accused is strong and the determination of whether or not the evidence is strong is a matter of judicial discretion which remains with the judge. In order for the judge to properly exercise this discretion, [the judge] must first conduct a hearing to determine whether the evidence of guilt is strong. This discretion lies not in the determination of whether or not a hearing should be held, but in the appreciation and evaluation of the weight of the prosecution's evidence of guilt against the accused.

In any event, whether bail is a matter of right or discretion, a hearing for a petition for bail is required in order for the court to consider the guidelines set forth in Section 9, Rule 114 of the Rules of Court in fixing the amount of bail. This Court has repeatedly held in past cases that even if the prosecution fails to adduce evidence in opposition to an application for bail of an accused, the court may still require the prosecution to answer questions in order to ascertain, not only the strength of the State's evidence, but also the adequacy of the amount of bail.²⁶

Hence, it is altogether of no consequence that the Order granting bail "was made in the presence of the public prosecutor, and the latter made no objection or comment to the oral manifestation of the defense counsel."²⁷

We agree with the OCA's finding that respondent Judge was inefficient in failing to resolve the motion for issuance of a hold departure order despite the lapse of 90 days. We find his contention, that "there is no need to issue an HDO order [sic] because a Hold Departure Order (HDO) is based on sound judgment and judicial discretion of a Judge,"²⁸ unmeritorious. While it is true that the law gives respondent Judge considerable discretion whether to issue or not to issue a hold

²⁴ *Rollo*, pp. 90-95.

²⁵ 776 Phil. 1 (2016).

²⁶ *Id.* at 9-10.

²⁷ *Rollo*, p. 126.

²⁸ *Id.* at 125.

departure order, this grant of considerable discretion in no wise or manner means that respondent Judge need not resolve at all the pending motion.

Respondent Judge ought to know the difference between a judge's discretionary power to issue a hold departure order and his mandatory duty to resolve all kinds of motions within 90 days. Section 15, Article VIII of the Constitution mandates that all cases and matters must be decided or resolved by the lower courts within three (3) months or ninety (90) days from date of submission. In addition, Section 5, Canon 6 of the New Code of Conduct for the Philippine Judiciary directs judges to "perform all judicial duties, including the delivery of reserved decisions, efficiently, fairly and with reasonable promptness." Suppletorily, Rule 3.05, Canon 3 of the Code of Judicial Conduct likewise mandates:

Rule 3.05. – A judge shall dispose of the court's business promptly and decide cases within the required periods.

This Court has explained in *Biggel v. Judge Pamintuan*²⁹ the reasons for requiring speedy disposition not only of all cases but also all motions, viz.:

Undue delay in the disposition of cases and motions erodes the faith and confidence of the people in the judiciary and unnecessarily blemishes its stature. No less than the Constitution mandates that lower courts must dispose of their cases promptly and decide them within three months from the filing of the last pleading, brief,[]] or memorandum required by the Rules of Court or by the Court concerned. In addition, a judge's delay in resolving, within the prescribed period, pending motions and incidents constitutes a violation of Rule 3.05 of the Code of Judicial Conduct requiring judges to dispose of court business promptly.

There should be no more doubt that undue inaction on judicial concerns is not just undesirable but more so detestable especially now when our all-out effort is directed towards minimizing, if not totally eradicating[]], the perennial problem of congestion and delay long plaguing our courts. The requirement that cases be decided within the reglementary period is designed to prevent delay in the administration of justice, for obviously, justice delayed is justice denied. An unwarranted [slowdown] in the disposition of cases erodes the faith and confidence of our people in the judiciary, lowers its standards[]], and brings it into disrepute.

Thus, respondent's failure to resolve complainant's motion to issue a hold departure order constitutes gross inefficiency which warrants the imposition of an administrative sanction.³⁰



²⁹ 581 Phil 319, 324-325 (2008). Citations omitted.

³⁰ See *Dulalia v. Judge Cajigal*, 722 Phil. 690, 697 (2013). Citations omitted.


While this Court finds respondent Judge administratively liable for gross ignorance of the law and procedure and for gross inefficiency, we are not at all prepared to conclude that respondent Judge's denial of complainant's motion for inhibition and rescheduling the redirect examination of the prosecution's witness to an earlier date amounted to bias and partiality.

In *Luciano v. Hon. Mariano*,³¹ this Court ruled:

To allege partiality, bias,³¹ and discrimination or over zealousness in siding with the guilty as against the innocent is one thing, but to show basis for the same is quite another. x x x The mere fact that a judge has erroneously ruled against the same litigant on two or three occasions does not create in our minds a decisive pattern of malice on the part of the judge against that particular litigant. This is not an unusual occurrence in our courts, and unless something in addition is alleged and proved, this Court is not inclined to disregard the presumption of good faith in favor of the actuations of courts. x x x³²

Here, respondent Judge did not act improperly at all in denying complainant's motion for inhibition. "[T]he issue of whether a judge should voluntarily inhibit [one's self] is addressed to [one's] sound discretion pursuant to paragraph 2 of Section 1 of Rule 137, which provides for the rule on voluntary inhibition x x x."³³

Complainant's motion for inhibition was based on (1) respondent's failure to resolve the motion to issue a hold departure order; (2) the grant of a preliminary investigation and in view of the appellate court's finding of grave abuse of discretion; (3) allowing the accused to go home after arraignment; and (4) granting bail without the conduct of a bail hearing.³⁴ While three of the four grounds stated therein are grounds for respondent Judge's administrative liability, these do not necessarily equate to bias or partiality. Respondent Judge's reasons behind his actuations seem to be more a manifestation of respondent's errors in judgment rather than "bias which excites a disposition to see and report matters as they are wished for rather than as they are."³⁵

Neither is respondent's Order³⁶ dated December 15, 2014, setting the case for earlier dates than previously agreed indicative of bias and partiality. In light of respondent Judge's claim that he issued the said order to promote a speedy trial, *i.e.*, 

³¹ 148 Phil. 177 (1971).

³² *Id.* at 184-185.

³³ *Talag v. Judge Reyes*, 474 Phil. 481, 490 (2004).

³⁴ *Rollo*, pp. 14-15.

³⁵ *Sison v. People*, 628 Phil. 573, 583 (2010).

³⁶ *Rollo*, p. 119.


that the prosecution be allowed at least to complete the presentation of its evidence prior to his retirement, so that his successor need only continue hearing the defense's evidence, this Court finds complainant's accusation in this respect quite untenable and respondent's stance more in keeping with the accused's right to speedy trial under Section 16,³⁷ Article III of the 1987 Constitution.

Finally, there is no merit in the contention of respondent Judge that Atty. Oliva lacks personality to file this administrative complaint because he was not the counsel of record of complainant in the criminal case for qualified theft. First, we are not aware of any rule that one must be a counsel of record in another case before an administrative complaint can be filed or prosecuted. Second, contrary to the assertion of respondent Judge, Atty. Oliva was one of the counsels of record of the complainant in the qualified theft case. An examination of the records reveals that complainant was being represented by Oliva Firme and Associates Law Firm, with Atty. Malapitan as the handling lawyer.

In sum, we find respondent Judge guilty of gross ignorance of the law and procedure in failing to make a judicial determination of probable cause and in failing to conduct a hearing on the accused's application for bail in Criminal Case No. R-QZN-13-00488-CR, and gross inefficiency in failing to resolve complainant's motion for issuance of a hold departure order.

Incidentally, this is not the first time respondent Judge is being administratively sanctioned. In *Dulalia v. Judge Cajigal*,³⁸ this Court had already admonished respondent Judge for his undue delay in resolving motions.

By and large, however, we take a holistic approach in the present case and we accord compassion and charity towards respondent Judge who appeared to have spent the best years of his professional life in the Judiciary. More than that, considering respondent Judge's retirement from the service on December 29, 2014, this Court believes that the imposition of a fine in the amount of ₱20,000.00 is appropriate and fair.

WHEREFORE, respondent Judge Afaile E. Cajigal is found **GUILTY** of gross ignorance of the law and procedure and gross inefficiency and is hereby ordered to pay a **FINE** of ₱20,000.00 to be deducted from his retirement benefits. 

³⁷ Section 16. All persons shall have the right to a speedy disposition of their cases before all judicial, quasi-judicial, or administrative bodies.

³⁸ Supra note 30.

SO ORDERED.


MARIANO C. DEL CASTILLO
Associate Justice

WE CONCUR:


TERESITA J. LEONARDO-DE CASTRO
Associate Justice
Acting Chairperson


FRANCIS H. JARDELEZA
Associate Justice

(On official leave)
NOEL GIMENEZ TIJAM
Associate Justice


ALEXANDER G. GASMUNDO
Associate Justice

