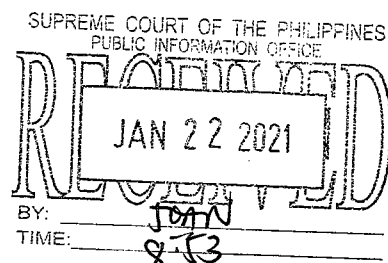




Republic of the Philippines  
Supreme Court  
Manila



FIRST DIVISION

REPUBLIC OF THE  
PHILIPPINES represented by  
THE PRESIDENTIAL  
COMMISSION ON GOOD  
GOVERNMENT (PCGG) and  
MID-PASIG LAND  
DEVELOPMENT CORP.,  
Petitioners,

G.R. Nos. 224438-40

Present:

PERALTA, C.J., Chairperson,  
CAGUIOA,  
REYES, J. JR.,  
LAZARO-JAVIER, and  
LOPEZ, JJ.

- versus -

AUGUSTUS ALBERT V.  
MARTINEZ, CITY GOLF  
DEVELOPMENT  
CORPORATION and GEEK'S  
NEW YORK PIZZERIA, INC.,  
Respondents.

Promulgated:

SEP 03 2020

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DECISION

REYES, J. JR., J.:

This Petition for Review on *Certiorari*<sup>1</sup> under Rule 45 of the Rules of Court seeks to reverse and set aside the Decision<sup>2</sup> dated November 4, 2015 and the Resolution<sup>3</sup> dated April 14, 2016 of the Court of Appeals (CA) in CA-G.R. SP Nos. 135972, 136895 and 136896, which reversed the Orders dated February 7, 2014 and May 30, 2014 of the Regional Trial Court (RTC)

<sup>1</sup> Rollo, pp. 11-35.

<sup>2</sup> Penned by Associate Justice Japar B. Dimaampao, with Associate Justices Franchito N. Diamante and Carmelita Salandanan-Manahan, concurring; id. at 40-50.

<sup>3</sup> Id. at 51-53.

of Pasig City, Branch 155 in SCA Case No. 3861, and the Orders dated April 21, 2014 and July 10, 2014 of the RTC of Pasig City, Branch 67 in SCA Cases Nos. 3867 and 3868, respectively.

### **Factual Antecedents**

Petitioner Republic of the Philippines (petitioner), represented by the Presidential Commission on Good Government and Mid-Pasig Land Development Corporation, initiated three separate complaints for unlawful detainer and damages against respondent Augustus Albert V. Martinez (respondent Martinez),<sup>4</sup> doing business under the name and style of "Uncle Moe's Shawarma Hub," respondent City Golf Development Corporation (respondent City Golf) and respondent Geek's New York Pizzeria, Inc. (respondent Geek's, Inc.). The said cases were raffled to the Metropolitan Trial Court (MeTC) of Pasig City, Branch 72 and docketed as Civil Cases Nos. 18675, 18679 and 18682. In three separate Decisions, all dated March 15, 2013, the MeTC of Pasig City, Branch 72 dismissed the complaints against herein respondents.<sup>5</sup>

Subsequently, on May 20, 2013, the petitioner, through the Office of the Solicitor General (OSG), received copies of the Decisions dated March 15, 2013. The petitioner then filed on June 3, 2013, separate Notices of Appeal dated May 28, 2013, appealing the Decisions of the MeTC of Pasig City, Branch 72 to the CA, instead of the RTC.

On June 13, 2013, the MeTC of Pasig City, Branch 72 then received petitioner's Manifestation and Motion with Attached Notice of Appeal dated June 4, 2013. In the said Manifestation and Motion, petitioner acknowledged its error and pleaded to disregard the Notice of Appeal dated May 28, 2013, and to consider the attached Notice of Appeal as its proper Notice of Appeal.<sup>6</sup>

Eventually, on June 18, 2013, the MeTC of Pasig City, Branch 72 issued a twin Order. The first Order granted petitioner's Manifestation and Motion, and ordered the substitution of the Notice of Appeal dated May 28, 2013 with that of the attached Notice of Appeal as petitioner's appropriate appeal. As to the second Order, the same MeTC gave due course to the petitioner's Notice of Appeal and directed the transmittal of the records to the Office of the Clerk of Court of the RTC.<sup>7</sup>

Respondents thereafter filed their Urgent Motions to Dismiss Appeal before the RTC of Pasig City, raffled to Branches 155 and 67, respectively.

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<sup>4</sup> Id. at 42.

<sup>5</sup> Id. at 60-72, 73-86, 87-99.

<sup>6</sup> Id. at 42-43.

<sup>7</sup> Id. at 135-140.

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In the Order dated February 7, 2014, the RTC of Pasig City, Branch 155 denied respondent Martinez's Motion for lack of merit and ruled, to wit:<sup>8</sup>

At the outset, the Court observes that the MeTC Branch 72 per its Order dated June 18, 2013, already found the Manifestation and Motion filed by plaintiff-appellant to be meritorious and thus gave due course to the Notice of Appeal dated June 4, 2013. To the mind of this Court, the MeTC Order dated June 18, 2013, constitutes sufficient finding as to the timeliness of the appeal taken by plaintiff-appellant, and thus should be accorded due respect.

Moreover, defendant-appellee's insinuations of irregularity in the filing of the Manifestation and Motion and Notice of Appeal are merely based on its own suspicions and conjectures and not supported by the evidence on record. An examination of the records reveals that the subject Manifestation and Motion and Notice of Appeal were sent via registered mail through the Post Office of Mandaluyong City on June 4, 2013, as shown by the date stamped on said Manifestation and Motion. Under Section 3, Rule 13 of the Rules of Court, the date of mailing of a motion or pleading, as stamped on the envelop or the registry receipt shall be considered the date of filing thereof. The stamped date is considered the official record of the mailing of the said pleading and is deemed accurate as the same carries the presumption that it has been prepared in the course of the official duties that have been regularly performed. It cannot be therefore be gainsaid that appellant's Notice of Appeal was filed well within the reglementary period.

Also, the RTC of Pasig City, Branch 67, in its Order dated April 21, 2014 denied respondents City Golf and Geek's, Inc.'s Motion, viz.:<sup>9</sup>

Now, we go to the issue of whether the appeal of plaintiff-appellant which was given due course by the Metropolitan Trial Court of Pasig City, Branch 72 is dismissible.

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A judicious review of the records readily reveals that the [MeTC] Branch 72, in its Order dated June 18, 2013 found the plaintiff-appellant's Manifestation and Motion meritorious; hence, gave due course to the Notice of Appeal dated June 4, 2013. Suffice it to say, said Order is a clear showing that the plaintiff-appellant's Notice of Appeal was filed within the period mandated by the rules. Notwithstanding, the alleged irregularities enumerated by the defendants-appellees pertaining to the timeliness of the filing of the Notice of Appeal, the fact remains that the court a quo which is clothed with competent jurisdiction to give due course to said appeal has ruled on the regularity of its filing.

The respondents subsequently filed their Motions for Reconsideration, Motion for Partial Reconsideration and Supplement to Motion for Partial Reconsideration (With Leave), but these Motions were denied by the RTC of Pasig City, Branch 155 and the RTC of Pasig City, Branch 67, in the Orders dated May 30, 2014 and July 10, 2014, respectively.

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<sup>8</sup> Id. at 142.

<sup>9</sup> Id. at 44.

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Respondents thereafter filed before the CA, separate Petitions for *Certiorari*, docketed as SP No. 135972, SP No. 136895 and SP No. 136896.<sup>10</sup> Upon motion, the CA then ordered the consolidation of these three Petitions. Respondents impute that the RTC of Pasig City, Branch 155 had acted with grave abuse of discretion when it issued the Orders dated February 7, 2014 and May 30, 2014, and that the RTC of Pasig City, Branch 67 also acted with grave abuse of discretion when it rendered the Orders dated April 21, 2014 and July 10, 2014, as both trial courts ruled that the petitioner's appeal was perfected on time.

In the assailed Decision dated November 4, 2015, the CA ruled that the RTC of Pasig City, Branch 155 and the RTC of Pasig City, Branch 67 gravely abused their discretion. The CA added that petitioner failed to prove that its appeal was timely filed. The CA stated that the Decision dated March 15, 2013 of the MeTC of Pasig City, Branch 72, was received by petitioner on May 20, 2013, and that petitioner had 15 days within which to file an appeal, or on June 4, 2013. However, the CA found that petitioner's Notice of Appeal was filed only on June 7, 2013, and not on June 4, 2013. While petitioner had asserted that its appeal was sent through registered mail on June 4, 2013, as shown by the date stamped on the envelop, the CA held that petitioner did not attach the said envelop or a certified copy thereof to the pleadings filed before the court in order to prove its claim. As such, the CA concluded that since petitioner's appeal had been filed beyond the reglementary period to appeal, the said RTCs of Pasig City should not have given due course to the Notice of Appeal. The CA ruled in this wise:

**WHEREFORE**, the *Consolidated Petitions for Certiorari* are hereby **GRANTED**. The *Orders* dated 7 February 2014 and 30 May 2014 of the Regional Trial Court of Pasig City, Branch 155, in SCA Case No. 3861, and the *Orders* dated 21 April 2014 and 10 July 2014 of the Regional Trial Court of Pasig City, Branch 67, in SCA Case Nos. 3867 and 3868 are **REVERSED** and **SET ASIDE**. Accordingly, the *Appeal* of respondents Republic of the Philippines, represented by the Presidential Commission on Good Government, and Mid-Pasig Land Development Corporation is **DISMISSED**. Both the Regional Trial Courts of Pasig City, Branch 155 and Branch 67 are **ENJOINED** from proceeding further with the disposition of the aforesaid cases.

**SO ORDERED.**<sup>11</sup>

Petitioner then moved for reconsideration, but was denied by the CA, in the assailed Resolution dated April 14, 2016.

Hence, the petitioner, through the OSG, comes to the Court raising this sole issue:

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<sup>10</sup> Id. at 158-241.

<sup>11</sup> Id. at 49.

DID THE HONORABLE [CA] x x x ERR ON A QUESTION OF LAW IN FINDING THAT THE REGIONAL TRIAL COURTS COMMITTED GRAVE ABUSE OF DISCRETION WHEN THEY RULED THAT PETITIONER'S APPEAL WAS TIMELY FILED[.]<sup>12</sup>

Petitioner asserts that the CA erred in ruling that both the RTCs of Pasig City, Branch 155 and Branch 67, committed grave abuse of discretion in issuing the Orders and in ruling that petitioner's appeal was timely filed. Petitioner insists that the Orders of the said RTCs of Pasig City were issued with sufficient and legal basis, and that the same RTCs found that both the envelop and Manifestation and Motion were stamped with the date June 4, 2013. Petitioner adds that it has discharged its burden of proving that its appeal was in fact timely filed.<sup>13</sup>

### The Court's Ruling

At the outset, We stress that the resolution of the sole issue presented in this case requires a review of the factual findings of the trial courts, and of the CA.

It is settled that under Rule 45 of the Rules of Court, only questions of law may be raised in a petition for review on *certiorari* before this Court as we are not a trier of facts. Our jurisdiction in such a proceeding is limited to reviewing only errors of law that may have been committed by the lower courts. Consequently, findings of fact of the trial court and the CA are final and conclusive, and cannot be reviewed on appeal. It is not the function of the Court to reexamine or reevaluate evidence, whether testimonial or documentary, adduced by the parties in the proceedings below.<sup>14</sup> However, we are mindful that the preceding rule admits of several exceptions, to wit: 1) when the findings are grounded entirely on speculation, surmises or conjectures; 2) when the inference made is manifestly mistaken, absurd or impossible; 3) when there is grave abuse of discretion; 4) when the judgment is based on a misapprehension of facts; 5) when the findings of facts are conflicting; 6) when in making its findings the CA went beyond the issues of the case, or its findings are contrary to the admissions of both the appellant and the appellee; 7) **when the findings are contrary to the trial court**; 8) when the findings are conclusions without citation of specific evidence on which they are based; 9) when the facts set forth in the petition as well as in the petitioner's main and reply briefs are not disputed by the respondent; 10) when the findings of fact are premised on the supposed absence of evidence and contradicted by the evidence on record; and, 11) when the CA manifestly

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<sup>12</sup> Id. at 17.

<sup>13</sup> Id.

<sup>14</sup> *Mangahas v. Court of Appeals*, G.R. No. 173375, September 25, 2008.

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overlooked certain relevant facts not disputed by the parties, which, if properly considered, would justify a different conclusion.<sup>15</sup>

To recall, the MeTC of Pasig City, Branch 72 had given due course to petitioner's Notice of Appeal in the separate cases involving respondents Martinez, City Golf and Geek's, Inc. The RTCs of Pasig City, Branch 155 and Branch 67 then affirmed the findings of the said MeTC that petitioner's Notice of Appeal was timely filed. However, the CA had a contrary finding wherein it ruled that both the RTCs of Pasig City had gravely abused its discretion and that petitioner's appeal was filed beyond the reglementary period to appeal. As such, a deviation from the fundamental application of Rule 45 of the Rules of Court is warranted to the case at bar.

Timeliness of an appeal is a factual issue that requires a review of the evidence presented on when the appeal was actually filed.<sup>16</sup> In this case, to prove that its Notice of Appeal was sent via registered mail on June 4, 2013 and that it had been filed on time, petitioner only presented a photocopy of the Manifestation and Motion with attached Notice of Appeal, and appearing on the said document is also a photocopy of a registry receipt with the date stamped June 4, 2013.<sup>17</sup>

We stress that the basic evidentiary rule is that he who asserts a fact or the affirmative of an issue has the burden of proving it.<sup>18</sup>

A judicious review of the records reveals that the CA was correct in ruling that the RTCs of Pasig City acted with grave abuse of discretion since petitioner's Notice of Appeal was filed only on June 7, 2013.

Here, petitioner failed to discharge its burden of proof that its appeal was indeed filed on June 4, 2013.

We quote with approval the findings of the CA, viz.:

x x x However, their [petitioner] *Notice of Appeal* was filed only on 7 June 2013. Ineluctably, the *Appeal* was filed behind time. While they maintain that their *Appeal* was sent through registered mail on 4 June 2013 as shown by the date stamped on the envelop, they did not bother to attach the said envelop or certified copy thereof to the pleadings filed before Us. This *faux pas* blows a hole in the veracity and authenticity thereof. Indeed, their failure to attach such telling document is fatal to their claim.

*Au contraire*, the court *a quo* held that [petitioner's] *Manifestation and Motion and Notice of Appeal* were mailed via registered mail on 4 June 2013[,] as shown by the date stamped on said *Manifestation and Motion*. Contrarily, the MeTC categorically pronounced that the

<sup>15</sup> *Commissioner of Internal Revenue v. Silicon Philippines, Inc.*, 729 Phil. 156, 165 (2014).

<sup>16</sup> *Mangahas v. Court of Appeals*, supra note 14, at 77.

<sup>17</sup> *Rollo*, p. 14.

<sup>18</sup> *Atty. Banda v. Ermita*, 632 Phil. 501, 533 (2010).

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*Manifestation and Motion with attached Notice of Appeal* was filed on 7 June 2013. The 18 June 2013 MeTC *Order* speaks volumes that [petitioner's *Notice of Appeal* attached to the *Manifestation and Motion* was filed on 7 June 2013 and received by the MeTC on 13 June 2013[.]<sup>19</sup>

The Court observes that petitioner had already known the fact that it did not attach the envelop before the CA or certified copy thereof, which may prove petitioner's claim that its appeal was sent through registered mail on June 4, 2013. Yet, petitioner still did not bother to attach the same in its pleadings before us. Moreover, we find the need to stress that the stamped or superimposed date on a photocopy of petitioner's *Manifestation and Motion with attached Notice of Appeal* was a mere photocopy of an alleged registry receipt dated June 4, 2013. Petitioner could have presented the original registry receipts. It would have constituted as the best evidence of the fact of mailing on June 4, 2013 of petitioner's *Manifestation and Motion*, in the separate cases that involved respondents Martinez, City Golf and Geek's, Inc. Regrettably, petitioner failed to present such original registry receipts. Its continued failure to present the said original receipts can only lead one to recall the well-settled rule that when the evidence tends to prove a material fact which imposes a liability on a party, and he has in its power to produce evidence which from its very nature must overthrow the case made against him if it is not founded on fact, and he refuses to produce such evidence, the presumption arises that the evidence, if produced, would operate to his prejudice, and support the case of his adversary. Mere photocopy of the registry receipt in this case, militates against petitioner's position as there is no *indicium* of its authenticity. In fact, a mere photocopy lacks assurance of its genuineness, considering that photocopies can easily be tampered with.<sup>20</sup>

We also note that petitioner stated in its *Petition* that Registry Receipt Nos. 2376, 2378 and 2394 covered the *Manifestation and Motion* with the corrected *Notice of Appeal* that it filed before the MeTC of Pasig City, in the cases against the respondents.<sup>21</sup> However, a perusal of the said *Manifestation and Motion*, reveals these registry receipts instead - Registry Receipts Nos. 2379, 2380 and 2381.<sup>22</sup> As such, the Court is perplexed as to which of the said registry receipts actually covered the same *Manifestation and Motion* which, as petitioner claims have been filed on June 4, 2013.

Furthermore, the Court needs to address the petitioner's assertion that - an appellant need not indicate the court to which its appeal is being interposed.<sup>23</sup> The Rules of Court is clear that an appeal erroneously taken to the Court of Appeals shall not be transferred to the appropriate court but shall be dismissed outright.<sup>24</sup> In addition, not all judgments and final orders of the

<sup>19</sup> *Rollo*, pp. 47-48.

<sup>20</sup> *Mangahas v. Court of Appeals*, supra note 14, at 81.

<sup>21</sup> *Rollo*, pp. 21-22.

<sup>22</sup> *Id.* at 14.

<sup>23</sup> *Id.* at 23-24.

<sup>24</sup> Rule 50, Section 2.

MeTC are elevated to the RTC. Cases decided in the exercise of its delegated jurisdiction are appealable to the CA.<sup>25</sup> Hence, it is necessary to indicate the correct appellate court.

Based on the foregoing, we find that the CA did not err in ruling that petitioner's appeal was not timely filed. Petitioner clearly failed to adduce credible proof that its appeal was undoubtedly filed on time, or on June 4, 2013. The right to appeal is not a natural right and is not part of due process. It is merely a statutory privilege and must be exercised in accordance with the law.<sup>26</sup> Indubitably, the CA is correct in ruling that petitioner's Notice of Appeal was only filed on June 7, 2013, and thus acted properly in dismissing petitioner's appeal.

While the assailed Decision and Resolution of the CA are sound and proper, the Court, however, deems it prudent to allow a liberal application of the procedural rules to the present case.

We emphasize that the perfection of an appeal within the period fixed by the rules is mandatory and jurisdictional. But it is always in the power of the Court to suspend its own rules, or to except a particular case from its operation, whenever the purpose of justice requires it. In fact, the Court is mindful of the policy of affording litigants the amplest opportunity for the determination of their cases on the merits and of dispensing the technicalities whenever compelling reasons so warrant or when the purpose of justice so require it.<sup>27</sup> Moreover, we had allowed in several instances that procedural rules may be relaxed to ensure the realization of substantial justice. The case of *Joson v. The Office of the Ombudsman*,<sup>28</sup> citing *Barnes v. Hon. Quijano Padilla*,<sup>29</sup> had elucidated that, viz.:

[T]he Rules of Court itself calls for its liberal construction, with the view of promoting their objective of securing a just, speedy and inexpensive disposition of every action and proceeding. The Court is fully aware that procedural rules are not to be belittled or simply disregarded for these prescribed procedures insure an orderly and speedy administration of justice. However, it is equally true that litigation is not merely a game of technicalities. Law and jurisprudence grant to courts the prerogative to relax compliance with procedural rules of even the most mandatory character, mindful of the duty to reconcile both the need to put an end to litigation speedily and the parties' right to an opportunity to be heard. In numerous cases, the Court has allowed liberal construction of the Rules of Court with respect to the rules on the manner and periods for perfecting appeals, when to do so would serve the demands of substantial justice and in the exercise of equity jurisdiction of the Supreme Court. As the Court has expounded in *Aguam vs. Court of Appeals*:

<sup>25</sup> Section 34 of Batas Pambansa Blg. 129 or The Judiciary Reorganization Act of 1980.

<sup>26</sup> *Gonzalo Puyat & Sons, Inc. v. Alcaide*, 680 Phil. 609, 619 (2012).

<sup>27</sup> *Mangahas v. Court of Appeals*, supra note 14, at 82.

<sup>28</sup> 816 Phil. 288 (2017).

<sup>29</sup> 500 Phil. 303 (2005).



x x x The court has the discretion to dismiss or not to dismiss an appellant's appeal. It is a power conferred on the court, not a duty. The "discretion must be a sound one, to be exercised in accordance with the tenets of justice and fair play, having in mind the circumstances obtaining in each case." Technicalities, however, must be avoided. The law abhors technicalities that impede the cause of justice. The court's primary duty is to render or dispense justice. "A litigation is not a game of technicalities." "Lawsuits unlike duels are not to be won by a rapier's thrust. Technicality, when it deserts its proper office as an aid to justice and becomes its great hindrance and chief enemy, deserves scant consideration from courts." *Litigations must be decided on their merits and not on technicality.* Every party litigant must be afforded the amplest opportunity for the proper and just determination of his cause, free from the unacceptable plea of technicalities. Thus, dismissal of appeals purely on technical grounds is frowned upon where the policy of the court is to encourage hearings of appeals on their merits and the rules of procedure ought not to be applied in a very rigid, technical sense; rules of procedure are used only to help secure, not override substantial justice. *It is a far better and more prudent course of action for the court to excuse a technical lapse and afford the parties a review of the case on appeal to attain the ends of justice rather than dispose of the case on technicality and cause a grave injustice to the parties, giving a false impression of speedy disposal of cases while actually resulting in more delay, if not a miscarriage of justice.*

x x x x

In the *Ginete* case, the Court held:

x x x x

Let it be emphasized that the rules of procedure should be viewed as mere tools designed to facilitate the attainment of justice. Their strict and rigid application, which would result in technicalities that tend to frustrate rather than promote substantial justice, must always be eschewed. Even the Rules of Court reflect this principle. The power to suspend or even disregard rules can be so pervasive and compelling as to alter even that which this court has already declared to be final, as we are now constrained to do in the instant case.

*The emerging trend in the rulings of this Court is to afford every party litigant the amplest opportunity for the proper and just determination of his cause, free from the constraints of technicalities. Time and again, this Court has consistently held that rules must not be applied rigidly so as not to override substantial justice. (Emphasis in the original, citations omitted)*

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In addition, the Court had ruled that there are recognized exceptions to the strict observance of the Rules, viz.: 1) most persuasive and weighty reasons; 2) to relieve a litigant from an injustice not commensurate with his failure to comply with the prescribed procedure; 3) good faith of the defaulting party by immediately paying within reasonable time from the time of the default; 4) existence of special or compelling circumstances; 5) merits of the case; 6) a cause not entirely attributable to the fault or negligence of the party favored by the suspension of the rules; 7) a lack of any showing that the review sought is merely frivolous and dilatory; 8) the other party will not be unjustly prejudiced thereby; 9) fraud, accident, mistake or excusable negligence without appellant's fault; 10) peculiar legal and equitable circumstances attendant to each case; 11) in the name of substantial justice and fair play; 12) importance of the issues involved; and, 13) exercise of sound discretion by the judge guided by the attendant circumstances.<sup>30</sup>

We hold to give due course to petitioner's appeal even though it was filed beyond the reglementary period to serve substantial justice. It must be noted that in this case, petitioner received copies of the three separate Decisions, all dated March 15, 2013, of the MeTC of Pasig City, Branch 72 on May 20, 2013, and had 15 days or until June 4, 2013 within which to file an appeal. Petitioner then filed its separate Notices of Appeal to the said MeTC on June 3, 2013. However, the said notices erroneously stated that the appeal is to the CA instead of the RTC. Upon discovery of such error, petitioner then allegedly filed by registered mail on June 4, 2013, its Manifestation and Motion with the corrected Notice of Appeal which explained that the mistake was inadvertently committed. The MeTC of Pasig City, as well as the RTCs of Pasig City, Branch 155 and Branch 67 found that the appeal was filed on time. However, as thoroughly discussed earlier, while indeed the CA was correct in finding that petitioner's Notice of Appeal was filed only on June 7, 2013, and not on June 4, 2013, we find the need to relax the 15-day period to perfect an appeal.

Here, the delay is only three days, wherein petitioner's Notices of Appeal was filed on June 7, 2013, instead of June 4, 2013. Not only this, the Court is aware of the circumstance in the present case where the petitioner filed separate Notices of Appeal within the 15-day period, but had to file another separate Notices of Appeal, although filed three days after the 15-day deadline, in order to correct what was mistakenly stated that the appeal is to the Court of Appeals. To reiterate, procedural rules must not be applied rigidly so as not to override substantial justice. Considering the fact that petitioner filed separate Notices of Appeal on time and then exerted effort to correct its earlier error by filing another separate Notices of Appeal and, that the delay of filing said Notices of Appeal is only three days, we must suspend the procedural rules and reinstate petitioner's appeal before the RTCs of Pasig City. Accordingly, in the interest of substantial justice, the assailed Decision and Resolution of the CA must be reversed and set aside, and the

<sup>30</sup> *Labao v. Flores*, 649 Phil. 213, 222-223 (2010).

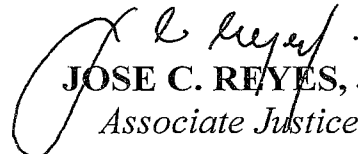
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Orders of the RTCs of Pasig City, Branch 155 and Branch 67 must then be reinstated.

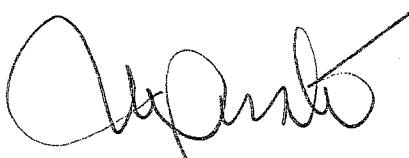
Hence, we grant the present Petition.

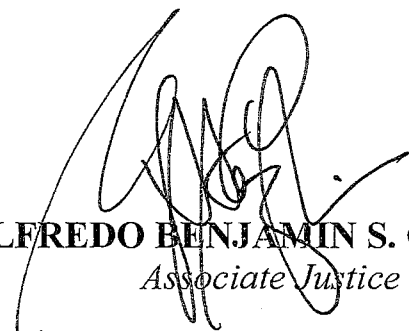
**WHEREFORE**, the Petition is **GRANTED**. The Decision dated November 4, 2015 and the Resolution dated April 14, 2016 of the Court of Appeals in CA-G.R. SP Nos. 135972, 136895 and 136896 are **REVERSED** and **SET ASIDE**. The Orders dated February 7, 2014 and May 30, 2014 of the Regional Trial Court of Pasig City, Branch 155 in SCA Case No. 3861, and the Orders dated April 21, 2014 and July 10, 2014 of the Regional Trial Court of Pasig City, Branch 67 in SCA Cases Nos. 3867 and 3868 are **REINSTATED**. Accordingly, the separate appeals of petitioner Republic of the Philippines, represented by the Presidential Commission on Good Government and Mid-Pasig Land Development Corporation, before the Regional Trial Courts of Pasig City, Branch 155 and Branch 67 are **REINSTATED**. The said Regional Trial Courts of Pasig City are **ORDERED** to proceed with the trial of the cases with dispatch.

**SO ORDERED.**


  
**JOSE C. REYES, JR.**  
*Associate Justice*

**WE CONCUR:**

  
**DIOSDADO M. PERALTA**  
*Chief Justice*  
*Chairperson*


  
**ALFREDO BENJAMIN S. CAGUIOA**  
*Associate Justice*

  
**AMY C. LAZARO-JAVIER**  
*Associate Justice*

  
**MARIO V. LOPEZ**  
*Associate Justice*

### CERTIFICATION

Pursuant to Section 13, Article VIII of the Constitution, it is hereby certified that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court.

A handwritten signature in black ink, appearing to read 'Diosdado M. Peralta', written in a cursive style.

**DIOSDADO M. PERALTA**  
*Chief Justice*