



Republic of the Philippines  
**Supreme Court**  
 Manila

SUPREME COURT OF THE PHILIPPINES  
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**THIRD DIVISION**

**EUFROCINA RIVERA,**  
*Petitioner,*

**G.R. No. 242837**

Present:

- versus -

CAGUIOA, J., *Chairperson,*  
 INTING,\*  
 GAERLAN,  
 DIMAAMPAO, *and*  
 SINGH,\* *JJ.*

**ROLANDO G. VELASCO,**  
*Respondent.*

Promulgated:  
**October 5, 2022**

Mis-DCBatt

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**DECISION**

**GAERLAN, J.:**

This is a Petition for Review on *Certiorari*<sup>1</sup> under Rule 45 of the Rules of Court, as amended, assailing the Decision<sup>2</sup> dated February 15, 2018 and Resolution<sup>3</sup> dated September 17, 2018 of the Court of Appeals (CA) in CA-G.R. SP No. 151231.

The assailed issuances reversed and set aside the Decision<sup>4</sup> dated October 31, 2016 and Order<sup>5</sup> dated May 12, 2017 issued by Branch 34 of the Regional Trial Court (RTC) of Gapan City, Nueva Ecija in Civil Case No. 4767-15 which, in turn, affirmed the Decision<sup>6</sup> dated July 6, 2015 of the Municipal Trial Court (MTC) of General Tinio, Nueva Ecija in Civil Case No.

\* On official business.

<sup>1</sup> *Rollo*, pp. 21-30.

<sup>2</sup> *Id.* at 8-14. Penned by Associate Justice Rosmari D. Carandang (a retired Member of this Court) with Associate Justices Elihu A. Ybañez and Pedro B. Corales concurring.

<sup>3</sup> *Id.* at 15-16.

<sup>4</sup> *Id.* at 144-149. Rendered by Judge Celso O. Baguio.

<sup>5</sup> *Id.* at 155-157.

<sup>6</sup> *Id.* at 120-126. Rendered by Acting Presiding Judge Kelly B. Belino.

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1017, finding merit in the complaint for forcible entry filed by Eufrocina Rivera (petitioner) against Rolando G. Velasco (respondent).

### Antecedents

At the heart of the instant controversy are three parcels of land located in Rio Chico, General Tinio, Nueva Ecija, containing an aggregate area of 27,076 square meters, more or less, and registered in the name of petitioner under Original Certificates of Title (OCT) Nos. P-27012,<sup>7</sup> P-27013,<sup>8</sup> and P-27014.<sup>9</sup> The subject properties were also declared in petitioner's name, for purposes of real estate taxation, under Tax Declaration Nos. 11-08003-03209,<sup>10</sup> 11-08003-03211,<sup>11</sup> and 11-08003-03207,<sup>12</sup> respectively.

Petitioner claims that she acquired the foregoing pieces of real property through Free Patent Application Nos. 034910-2835,<sup>13</sup> 034910-2835-A,<sup>14</sup> and 034910-2835-B<sup>15</sup> before the Community Environment and Natural Resources Office (CENRO) of the Department of Environment and Natural Resources (DENR) in Cabanatuan City. By virtue thereof, the three corresponding Torrens titles thereto were issued in her name.

In her Complaint<sup>16</sup> before the MTC dated October 21, 2014, petitioner asseverated that on June 21, 2014, she discovered that respondent, by means of strategy and stealth, possessed and occupied a portion of her titled lands, to the extent of 6,397 square meters, by constructing a house thereon without her consent or permission; that respondent refused to vacate the same despite demand;<sup>17</sup> and that no settlement was reached before the barangay *Lupong Tagapamayapa*.<sup>18</sup>

On the other hand, respondent countermanded in his Answer with Counterclaim and Motion to Dismiss<sup>19</sup> that he is the lawful owner of the portion of the subject property, having occupied the same since 1995; that petitioner lied when she stated in her free patent applications that she had been occupying the subject properties since 2000; that, as a result, respondent

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<sup>7</sup> Id. at 45-48.

<sup>8</sup> Id. at 50-53.

<sup>9</sup> Id. at 55-58.

<sup>10</sup> Id. at 49.

<sup>11</sup> Id. at 54.

<sup>12</sup> Id. at 59.

<sup>13</sup> Id. at 82.

<sup>14</sup> Id. at 78.

<sup>15</sup> Id. at 83.

<sup>16</sup> Id. at 40-44.

<sup>17</sup> Id. at 64-65.

<sup>18</sup> Id. at 66.

<sup>19</sup> Id. at 67-72.

lodged on September 1, 2014 a Protest<sup>20</sup> against her before the DENR; and that, accordingly, the requisites of an action for forcible entry were not met in the instant case.

### The MTC Ruling

On July 6, 2015, the MTC rendered a Decision<sup>21</sup> in petitioner's favor. It reasoned that petitioner was able to establish her prior physical possession of the titled lands since 1992, as evidenced by the Barangay Certification<sup>22</sup> dated January 26, 2003 issued by Barangay Captain Gerardo A. Quijano; that such prior possession is likewise supported by a CENRO Report<sup>23</sup> dated August 25, 2003; and that she is the owner of the portion of the subject property being occupied by respondent. As between petitioner who had been in possession of the land since 1992 and respondent who claimed to have possessed the same only sometime in 1995, the MTC decreed that the former must prevail.<sup>24</sup>

The MTC likewise rejected respondent's defense that petitioner acquired her titles to the lands in question through fraud because the same amounts to a collateral attack on Torrens titles which is not allowed.<sup>25</sup>

In fine, the MTC disposed:

**WHEREFORE**, in view of the foregoing, judgment is hereby rendered in favor of the plaintiff Eufrocina G. Rivera and against the defendant Rolando G. Velasco, as follows:

1. Ordering the defendant Rolando G. Velasco and all persons claiming rights under his authority to peacefully evict and vacate the parcels of land situated in Brgy. Rio Chico, General Tinio, Nueva Ecija, covered by **Katibayan ng Orihinal naTitulo Blg. P-27012, Katibayan ng Orihinal naTitulo Blg. P-27013, and the Katibayan ng Orihinal naTitulo Blg. P-27014 of the Registry of Deeds for the Province of Nueva Ecija**, and to turn over the physical possession thereof to the plaintiff;
2. Ordering the defendant Rolando G. Velasco to pay reasonable rent for the use and occupation of the subject properties in the amount of **Five Thousand Pesos (Php5,000.00)**, per month commencing on June 21, 2014, until he and/or all person claiming rights under him finally vacate

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<sup>20</sup> Id. at 75-77.

<sup>21</sup> Id. at 120-126.

<sup>22</sup> Id. at 62.

<sup>23</sup> Id. at 60-61.

<sup>24</sup> Id. at 122-124.

<sup>25</sup> Id. at 124.

and surrender the physical possession of the subject properties to the plaintiff;

3. Ordering the defendant Rolando G. Velasco to pay the plaintiff attorney's fees in the amount of **TWENTY THOUSAND PESOS (Php 20,000.00)**;
4. Ordering the defendant Rolando G. Velasco to pay the plaintiff the cost of this suit in the amount of **Php 2,245.00**.

SO ORDERED.<sup>26</sup>

Dauntless, respondent launched an appeal before the RTC.

In his Appellant's Memorandum,<sup>27</sup> respondent bewailed the MTC's Decision, arguing that he is the lawful owner and possessor of the land in question;<sup>28</sup> that the MTC did not have any jurisdiction over the case because the elements of forcible entry are absent;<sup>29</sup> and that, accordingly, the MTC should have dismissed petitioner's complaint.<sup>30</sup>

In her Plaintiff-Appellee's Memorandum,<sup>31</sup> petitioner retorted that she was able to provide enough evidence to show her prior physical possession of the subject properties; and that the affidavits presented by respondent attesting to their own occupation of the piece of land in question were a mere afterthought.

### The RTC Ruling

On October 21, 2016, the RTC rendered a Decision<sup>32</sup> denying respondent's appeal.

Stamping its imprimatur on the judgment of the MTC, the RTC ruled that petitioner's complaint properly alleges the requisites for a valid action for forcible entry, *i.e.*, prior possession of the property and deprivation of possession through force, intimidation, threats, strategy or stealth; that respondent's avowal that petitioner's titles to the parcels of land were obtained through fraud is an unproven and unsubstantiated claim; that a collateral attack on petitioner's Torrens titles is proscribed; and that, under the

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<sup>26</sup> Id. at 125.

<sup>27</sup> Id. at 127-136.

<sup>28</sup> Id. at 129-130.

<sup>29</sup> Id. at 130-132.

<sup>30</sup> Id. at 132-134.

<sup>31</sup> Id. at 137-143.

<sup>32</sup> Id. at 144-149.

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circumstances, petitioner is entitled to the possession of that portion of real property being occupied by respondent.<sup>33</sup>

Thus:

**WHEREFORE**, premises considered, the instant appeal is hereby **DISMISSED** for lack of merit. The assailed decision dated July 6, 2015 is hereby **AFFIRMED in toto**.

**SO ORDERED.**<sup>34</sup>

Respondent's Motion for Reconsideration<sup>35</sup> was denied by the RTC in its Order<sup>36</sup> dated May 12, 2017.

Resolute in his belief that the facts and law are on his side, respondent beseeched the CA's intercession through a Petition for Review<sup>37</sup> under Rule 42 of the Rules of Court.

### The CA Ruling

In the herein assailed Decision,<sup>38</sup> the CA granted respondent's plea and ordered the dismissal of petitioner's complaint.

The CA elucidated that the instant case is not a simple ejectment case but, rather, involves a more complex ownership issue that must be settled in an *accion reivindicatoria* which is cognizable before the RTC. The CA further explicated that respondent's pending cases against petitioner, *i.e.*, the Protest before the CENRO and a civil case for Reconveyance of Title before Branch 36 of the RTC of Gapan City,<sup>39</sup> justify why the controversy "cannot be fully resolved in an ejectment case."<sup>40</sup>

Ultimately, the CA disposed:

**WHEREFORE, premises considered**, the petition is **GRANTED**. The assailed Decision dated October 21, 2016 of the Regional Trial Court (RTC) of Gapan City, Nueva Ecija, Branch 34, is **SET ASIDE**. Respondent's complaint for forcible entry is hereby **DISMISSED**.

<sup>33</sup> Id. at 147-148.

<sup>34</sup> Id. at 149.

<sup>35</sup> Id. at 150-154.

<sup>36</sup> Id. at 155-157.

<sup>37</sup> Id. at 158-173.

<sup>38</sup> Id. at 8-14.

<sup>39</sup> Respondent made this allegation for the first time in his Petition for Review before the CA.

<sup>40</sup> *Rollo*, p. 13.

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**SO ORDERED.**<sup>41</sup>

Hence, the present recourse.

**Issue**

The Court is tasked to resolve whether the CA erred in ordering the dismissal of petitioner's complaint for forcible entry on the ground that the controversy cannot be resolved without arriving at a definite ruling on the issue of ownership over the portion of the subject properties occupied by respondent.

**The Ruling of the Court**

The petition is impressed with merit.

**I.**

An *accion interdictal* or summary ejectment proceeding may either be an unlawful detainer or a forcible entry suit under Rule 70 of the Rules of Court,<sup>42</sup> which are designed to summarily restore physical possession of a piece of land or building to one who has been illegally or forcibly deprived thereof, without prejudice to the settlement of the parties' opposing claims of juridical possession in appropriate proceedings.<sup>43</sup>

In *Drilon v. Gaurana*,<sup>44</sup> the Court expounded:

It must be stated that the purpose of an action of forcible entry and detainer is that, regardless of the actual condition of the title to the property, the party in peaceable quiet possession shall not be turned out by strong hand, violence or terror. In affording this remedy of restitution the object of the statute is to prevent breaches of the peace and criminal disorder which would ensue from the withdrawal of the remedy, and the reasonable hope such withdrawal would create that some advantage must accrue to those persons who, believing themselves entitled to the possession of property, resort to force to gain possession rather than to some appropriate action in the courts to assert their claims. This is the philosophy at the foundation of all these actions of forcible entry and detainer which are designed to compel the party out of possession to respect and resort to the law alone to obtain what he claims is his. x x x<sup>45</sup>

<sup>41</sup> Id. at 14.

<sup>42</sup> *Heirs of Cullado v. Gutierrez*, G.R. No. 212938, July 30, 2019.

<sup>43</sup> *Spouses Samonte v. Century Savings Bank*, 620 Phil. 494, 503 (2009).

<sup>44</sup> 233 Phil. 350 (1987).

<sup>45</sup> Id. at 356.

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Case law holds that to effect the ejectment of an occupant or deforciant on the land, the complaint should embody such a statement of facts as to bring the party clearly within the class of cases for which the statutes provide a remedy, as these proceedings are summary in nature.<sup>46</sup> Key jurisdictional facts constitutive of the particular ejectment case filed must be averred in the complaint and sufficiently proven.<sup>47</sup> After all, the nature of an action and the jurisdiction of the court over a case are determined by the allegations in the complaint.<sup>48</sup>

The instant petition concerns forcible entry cases where one is deprived of physical possession of land or building by means of force, intimidation, threat, strategy or stealth.<sup>49</sup> For a forcible entry suit to prosper, the plaintiff must allege and prove: (1) prior physical possession of the property; and (2) unlawful deprivation of it by the defendant through force, intimidation, strategy, threat or stealth.<sup>50</sup> It is sufficient that facts are set up showing that dispossession took place under these conditions.<sup>51</sup>

In the case at bar, petitioner's complaint alleges:

3. That the subject matter is an aggregate 6,397 portion of the parcel of land situated at Rio Chico, General Tinio, Nueva Ecija covered and embraced by Katibayan ng Orihinal na Titulo x x x.

x x x x

4. That since the year of 1992 and even prior thereto thru predecessor-in-interest, the plaintiff had been in adverse continuous prior physical possession of the subject property which fact is evidence by the Report of Investigation from the Department of Environment and Natural Resources and Barangay Certification x x x.

5. That on June 21, 2014, within one (1) year from the filing of the case, the plaintiff discovered that the defendant thru strategy and stealth possessed and occupied the subject property by constructing a house without the consent or permission from the plaintiff nor without any lawful and valid court order thereby depriving plaintiff of possession x x x.<sup>52</sup>

It is clear from the foregoing that petitioner made out a case for forcible entry, having alleged her prior physical possession of the subject properties and respondent's act of forcibly entering the same by means of strategy and stealth. Considering such allegations, the one-year period for the filing of the

<sup>46</sup> *Domalsin v. Spouses Valenciano*, 515 Phil. 745, 765 (2006).

<sup>47</sup> *Carbonilla v. Abiera*, 639 Phil. 4473, 481 (2010).

<sup>48</sup> *French v. Court of Appeals*, 813 Phil. 773, 779 (2017).

<sup>49</sup> *Times Broadcasting Network v. Court of Appeals*, G.R. No. 122806, June 19, 1997.

<sup>50</sup> *Nenita Quality Foods Corporation v. Galabo*, 702 Phil. 506, 519 (2013).

<sup>51</sup> *Cajayon v. Spouses Batuyong*, 517 Phil. 648, 659 (2006).

<sup>52</sup> *Rollo*, pp. 40-41.

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complaint is counted from the time of *discovery* by the petitioner of respondents' possession of the property and not from the time of *occupation*.<sup>53</sup> Under the circumstances, the case was also timely instituted. Most importantly, the factual findings of the MTC, as affirmed by the RTC, confirm the veracity of the allegations in petitioner's complaint and ruled her entitled to the possession of the subject properties.

## II.

The Court disagrees with the CA when it essentially allowed to prevail respondent's collateral attack on petitioner's three Torrens titles, thereby resulting in the dismissal of the latter's complaint for forcible entry.

A Torrens certificate of title is indefeasible and binding upon the whole world unless and until it has been nullified by a court of competent jurisdiction.<sup>54</sup> Section 48<sup>55</sup> of Presidential Decree No. 1529, otherwise known as the Property Registration Decree, also provides that a Torrens certificate of title cannot be altered, modified or cancelled except in a direct proceeding in accordance with law.<sup>56</sup> In addition, it is immune from collateral attacks.<sup>57</sup>

In *Co v. Court of Appeals*,<sup>58</sup> We elaborated on the distinctions between direct and collateral attacks on Torrens titles in the following manner:

Anent the issue on whether the counterclaim attacking the validity of the Torrens title on the ground of fraud is a collateral attack, we distinguish between the two remedies against a judgment or final order. A direct attack against a judgment is made through an action or proceeding the main object of which is to annul, set aside, or enjoin the enforcement of such judgment, if not yet carried into effect; or, if the property has been disposed of, the aggrieved party may sue for recovery. **A collateral attack is made when, in another action to obtain a different relief, an attack on the judgment is made as an incident in said action.** This is proper only when the judgment, on its face, is null and void, as where it is patent that the court which rendered said judgment has no jurisdiction.

In their reply dated September 11, 1990, petitioners argue that the issues of fraud and ownership raised in their so-called compulsory counterclaim partake of the nature of an independent complaint which they may pursue for the purpose of assailing the validity of the transfer certificate of title of private respondents. That theory will not prosper.

<sup>53</sup> *Philippine Overseas Telecommunications Corporation v. Gutierrez*, 537 Phil. 682, 694 (2006).

<sup>54</sup> *Co v. Militar*, 466 Phil. 217, 224 (2004).

<sup>55</sup> SECTION 48. *Certificate Not Subject to Collateral Attack*. — A certificate of title shall not be subject to collateral attack. It cannot be altered, modified, or cancelled except in a direct proceeding in accordance with law.

<sup>56</sup> *Hortizuela v. Tagufa*, 754 Phil. 499, 506 (2015).

<sup>57</sup> *Madrid v. Spouses Mapoy*, 612 Phil. 920, 932 (2009).

<sup>58</sup> 274 Phil. 108 (1991).



While a counterclaim may be filed with a subject matter or for a relief different from those in the basic complaint in the case, it does not follow that such counterclaim is in the nature of a separate and independent action in itself. In fact, its allowance in the action is subject to explicit conditions, as above set forth, particularly in its required relation to the subject matter of the opposing party's claim. Failing in that respect, it cannot even be entertained as a counterclaim in the original case but must be filed and pursued as an altogether different and original action.

It is evident that the objective of such claim is to nullify the title of private respondents to the property in question, which thereby challenges the judgment pursuant to which the title was decreed. This is apparently a collateral attack which is not permitted under the principle of indefeasibility of a Torrens title. It is well settled that a Torrens title cannot be collaterally attacked. **The issue on the validity of title, i.e., whether or not it was fraudulently issued, can only be raised in an action expressly instituted for that purpose. Hence, whether or not petitioners have the right to claim ownership of the land in question is beyond the province of the instant proceeding. That should be threshed out in a proper action. The two proceedings are distinct and should not be confused.**<sup>59</sup> (Emphasis supplied; citations omitted)

Illustrative at this juncture is the recent case of *Barcelo v. Riparip*<sup>60</sup> (*Barcelo*).

The late Adolfo Barcelo (Adolfo) filed a free patent application over a parcel of land located in Barangay Conversion, Pantabangan, Nueva Ecija with an area of 36,435 square meters. Resultantly, OCT No. P-1805 was issued in his name.

Sometime in 1996, the heirs of Adolfo discovered that Dominador Riparip (Dominador) encroached one hectare of Adolfo's property. Then, sometime in 2013, Dominador's relatives also forcibly entered the property through strategy and stealth. This led to the filing of an ejectment complaint by the heirs of Adolfo.

In their defense, Dominador and his relatives claimed that OCT No. P-1805 was fraudulently obtained because Adolfo made misrepresentations in his free patent application.

The MTC granted the reliefs sought by the heirs of Adolfo. It reasoned that although the nomenclature of the complaint merely spells out the word "ejectment" without specifying whether it is for unlawful detainer or forcible entry, the allegations therein made out an action for forcible entry which, in any event, was supported by the evidence on record. It also rejected the

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<sup>59</sup> Id. at 115-116.

<sup>60</sup> G.R. No. 250159, April 26, 2021.

collateral attack on Adolfo's Torrens title. The RTC affirmed the judgment of the MTC.

When the case was elevated to the CA, however, the complaint of the heirs of Adolfo was ordered dismissed. The CA justified its ruling by declaring that the heirs of Adolfo filed a complaint for unlawful detainer when it should have been a forcible entry suit instead.

Reversing and setting aside the CA's ruling, this Court ruled, *inter alia*, that Adolfo's Torrens title cannot be collaterally attacked by Dominador and his relatives in an action for forcible entry, *viz.*:

The subject property was registered in the name of petitioners' predecessor, Adolfo G. Barcelo, having been issued *Katibayan ng Orihinal na Titulo Blg. P-1805*, and declared the same for taxation purposes. Petitioners had been tilling and cultivating the same by planting vegetables and mango trees. When petitioners discovered the stealthy intrusion of respondents over the subject property, they immediately filed a complaint with the *barangay* and subsequently filed a complaint for ejectment before the MTC.

**The issuance of a certificate of title in favor of petitioners' predecessor, pursuant to a free patent application, evidences ownership and from it, a right to the possession of the property follows.** Well-entrenched is the rule that a person who has a Torrens titles over the property is entitled to the possession thereof.

**The issue as to the validity of petitioners' title is a collateral attack on the title and is not allowed in this forcible entry case. As it has been often said, a certificate of title cannot be subject to a collateral attack and cannot be altered, modified, or cancelled except only in a direct proceeding in accordance with law.**<sup>61</sup> (Emphasis supplied)

We apply the principle enunciated in *Barcelo* to the case at bar.

It may be recalled that in the instant case, petitioner applied for a free patent over the subject properties before the CENRO, and that the same was granted by the said office. This led to the issuance of OCT Nos. P-27012, P-27013, and P-27014 in petitioner's name. Thereafter, after discovering respondent's forcible entry into an area encompassing a 6,937-square meter portion of the three titled parcels of land, petitioner sent the former a demand letter<sup>62</sup> dated July 4, 2014 requiring him to vacate the same. And in response to said demand, respondent filed before the CENRO on September 1, 2014 a

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<sup>61</sup> Id.

<sup>62</sup> *Rollo*, p. 64.

Protest<sup>63</sup> alleging irregularities with regard to the issuance of petitioner's Torrens titles. This was conveniently set up by respondent as a defense against petitioner's impending ejectment suit.

Respondent's allegation that petitioner's free patent applications were improvidently granted by the DENR constitutes a collateral attack on petitioner's titles which is barred under the Torrens system. Apart from her prayer for damages, all that petitioner asked from the MTC was that she be given the possession of the property in question.<sup>64</sup> Having obtained three valid Torrens titles over the subject properties, she is entitled to protection from indirect attacks against the same.<sup>65</sup>

### III.

Indeed, the only issue to be resolved in ejectment cases is the question as to who is entitled to the physical or material possession of the premises or possession *de facto*.<sup>66</sup> It is independent of any claim of ownership or *possession de jure* that either party may set forth in their pleadings or in other cases.<sup>67</sup> Even if the question of ownership is raised in the pleadings, as in the case at bench, the courts may pass upon such issue but only to determine the issue of possession especially if the former is inseparably linked with the latter<sup>68</sup> which, in any event, is not the case here.

In *Spouses Malison v. Court of Appeals*,<sup>69</sup> the Court held:

Verily, in ejectment cases, the word "possession" means nothing more than actual physical possession, not legal possession, in the sense contemplated in civil law. The only issue in such cases is who is entitled to the physical or material possession of the property involved, independent of any claim of ownership set forth by any of the party-litigants. It does not even matter if the party's title to property is questionable.

Over and over again we have held that in ejectment proceedings courts must resolve only the issue of who is entitled to the physical possession of the premises. The question of possession is primordial while the issue of ownership is unessential.<sup>70</sup> (Citations omitted)

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<sup>63</sup> Id. at 75-77.

<sup>64</sup> Id. at 42-43.

<sup>65</sup> *Spouses Balanon-Anicete v. Balanon*, 450 Phil. 615, 622 (2003).

<sup>66</sup> *Go, Jr. v. Court of Appeals*, 415 Phil. 172, 184 (2001).

<sup>67</sup> *Carreon v. Court of Appeals*, 353 Phil. 271, 281 (1998).

<sup>68</sup> *Esperal v. Trompeta-Esperal*, G.R. No. 229076, September 16, 2020.

<sup>69</sup> 554 Phil. 10 (2007).

<sup>70</sup> Id. at 21-22.

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In fine, **an ejectment suit is not susceptible to circumvention by the simple expedient of asserting ownership over the property.**<sup>71</sup> The CA committed an egregious error in rendering the herein assailed issuances.

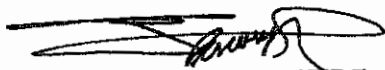
The evidence on record firmly establishes petitioner as the registered owner of the parcel of land that was forcibly breached by respondent. Since the relevant laws and prevailing jurisprudence dictate that the titleholder is entitled to all the attributes of ownership of the property, *including possession*,<sup>72</sup> the MTC correctly ruled in favor of petitioner. Its ruling must, perforce, be reinstated.

Pursuant to the pronouncement of the Court in *Nacar v. Gallery Frames*,<sup>73</sup> We impose legal interest at the rate of six percent (6%) *per annum* on the total monetary award adjudged by the MTC, reckoned from the date of finality of this judgment until its full satisfaction.

**WHEREFORE**, the petition is **GRANTED**. The Decision dated February 15, 2018 and the Resolution dated September 17, 2018 of the Court of Appeals in CA-G.R. SP No. 151231 are hereby **REVERSED and SET ASIDE**.

The Decision dated July 6, 2015 of the Municipal Trial Court of General Tinio, Nueva Ecija in Civil Case No. 1017 is hereby **REINSTATED with MODIFICATION** in that legal interest of six percent (6%) *per annum* is imposed on the total monetary award due petitioner **Eufrocina Rivera**, reckoned from the time of finality of this Decision until its full satisfaction.

**SO ORDERED.**

  
**SAMUEL H. GAERLAN**  
Associate Justice

<sup>71</sup> *Spouses Santiago v. Northbay Knitting, Inc.*, 820 Phil. 157, 167 (2017).

<sup>72</sup> *Gabriel, Jr. v. Crisologo*, 735 Phil. 673, 685 (2014).

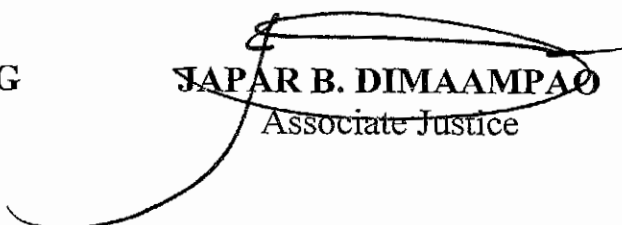
<sup>73</sup> 716 Phil. 267 (2013).

WE CONCUR:



**ALFREDO BENJAMIN S. CAGUIOA**  
Associate Justice

*(On official business)*  
**HENRI JEAN PAUL B. INTING**  
Associate Justice

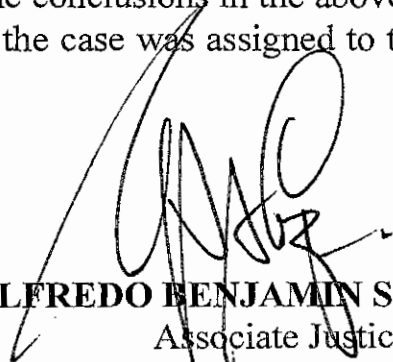


**JAPAR B. DIMAAMPAO**  
Associate Justice

*(On official business)*  
**MARIA FILOMENA D. SINGH**  
Associate Justice

**ATTESTATION**

I attest 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's Division.

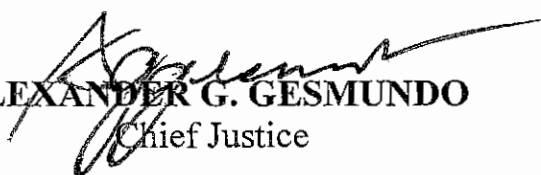


**ALFREDO BENJAMIN S. CAGUIOA**  
Associate Justice  
Chairperson

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## CERTIFICATION

Pursuant to Section 13, Article VIII of the Constitution and the Division Chairperson's Attestation, I certify 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's Division.

  
**ALEXANDER G. GESMUNDO**  
Chief Justice