



Republic of the Philippines
Supreme Court
Manila

SECOND DIVISION

**JULIETA F. ENRIQUEZ,
ROMEO F. ENRIQUEZ, and
TITA E. VELASCO,**

Petitioners,

- versus -

**HEIRS OF FLORENCIO F.
ENRIQUEZ, represented by
ARMANDO ENRIQUEZ,**
Respondents.

G.R. No. 215035

Present:

LEONEN, *S.A.J.*, Chairperson,
CAGUIOA,*
LAZARO-JAVIER,
LOPEZ, M., and
KHO, JR., *JJ.*

Promulgated:

MAY 27 2024

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DECISION

KHO, JR., J.:

Before the Court is a Petition for Review on *Certiorari*¹ under Rule 45 of the Rules of Court filed by Julieta F. Enriquez, Romeo F. Enriquez (Romeo), and Tita E. Velasco (Tita; collectively, petitioners), assailing the Decision² dated January 8, 2014 and the Resolution³ dated September 19, 2014 of the Court of Appeals (CA) in CA-G.R. CV No. 02026-MIN. The

* Designated Additional Member per Raffle dated April 11, 2024.

¹ *Rollo*, pp. 9–19.

² *Id.* at 20–37. Penned by Associate Justice Henri Jean Paul B. Inting (now a Member of this Court) and concurred in by Associate Justices Edgardo A. Camello and Jhosep Y. Lopez (now a Member of this Court) of the Twenty-Second Division, Court of Appeals, Cagayan de Oro City.

³ *Id.* at 44–47. Penned by Associate Justice Henri Jean Paul B. Inting (now a Member of this Court) and concurred in by Associate Justices Romulo V. Borja and Edgardo A. Camello of the Special Former Twenty-Second Division, Court of Appeals, Cagayan de Oro City.

assailed CA rulings reversed and set aside the Decision⁴ dated July 27, 2009 of Branch 14, Regional Trial Court, Zamboanga City (RTC) in Civil Case No. 5289 granting petitioners' Complaint for Declaration of Nullity and Cancellation of Title and Declaration of Ownership.

The Facts

The present case stemmed from a Complaint⁵ for Declaration of Nullity and Cancellation of Original Certificate of Title (OCT) No. P-3,588,⁶ issued in the name of "*Hrs. of Florencio Enriquez, rep. by: Armando Enriquez,*" and Declaration of Ownership over Lot Nos. 3564, 3566, and 3567 (subject lots), *with prayer for issuance of temporary restraining order (TRO) and/or writ of preliminary injunction (WPI)* filed by petitioners and their now deceased siblings, Estelita F. Enriquez, Derticio F. Enriquez, Rosita Ruste Vda. De Enriquez, Policarpo Enriquez, and attorney-in-fact, Abelardo F. Enriquez (Abelardo),⁷ on August 5, 2002 against the Heirs of Florencio F. Enriquez (Florencio), represented by Armando Enriquez (Armando; collectively, respondents).⁸ In their prayer for preliminary injunctive relief, petitioners sought to enjoin: (1) the continuation of the proceedings in the ejectment case earlier filed by respondents in July 2002 before Branch 4, Municipal Trial Court, Zamboanga City (MTC), docketed as Special Civil Action No. 6256-571,⁹ and (2) respondents from further entering the subject lots and causing irreparable damage to petitioners' interest.¹⁰

As culled from the records, petitioners and Florencio are the heirs of the late Faustino W. Enriquez (Faustino), who died on August 9, 1956. Petitioners alleged that in 1948, Faustino bought three parcels of agricultural land, the subject lots, from one Ong Yok in consideration of the sum of PHP 5,000.00. Albeit the name of Florencio, Faustino's eldest son, was placed as the vendee in the "*Escritura de Venta*"¹¹ covering the three lots, petitioners argued that Faustino bought the subject lots for his children by his second marriage, herein petitioners.

Fulfilling their father's intention, Florencio executed a Deed of Sale, likewise denominated as "*Escritura de Venta*,"¹² on July 18, 1952 covering the subject lots in favor of petitioners. Due to an inadvertent omission of Tita's name in said Deed, Florencio subsequently executed an Affidavit¹³ on

⁴ *Id.* at 69–76. Penned by Presiding Judge Reynerio G. Estacio of Branch 14, Regional Trial Court, Zamboanga City.

⁵ *Id.* at 48–56.

⁶ *Id.* at 61–62.

⁷ *Id.* at 10 and 48.

⁸ *Id.* at 21.

⁹ *Id.* at 51 and 73–74, 124.

¹⁰ *Id.* at 51–52.

¹¹ RTC Records, p. 11.

¹² *Id.* 10.

¹³ *Id.* at 12.

September 28, 1956 to rectify such omission.¹⁴ Petitioners asserted that they have been in open and continuous possession of the subject lots, which they have cultivated by planting coconut trees and other minor crops.¹⁵

Sometime in 1989, Abelardo took charge of the cultivation of the subject lots after their brother Romeo, who was previously in charge of its administration, left for abroad. To his surprise, Abelardo received a letter from respondents' counsel on June 22, 2002 demanding them to vacate the subject lots. Upon verification, Abelardo discovered that *a free patent covering Lot No. 3564 was issued in Florencio's name* by the Department of Environment and Natural Resources (DENR). Thereafter, OCT No. P-3,588 covering Lot No. 3564 was issued on July 18, 1997 in respondents' name. Subsequently, Abelardo received summons from the MTC in the ejectment case filed against them.

*Petitioners argued that the DENR had no jurisdiction over Lot No. 3564 since it is not a part of the public domain, having been owned by one Ong Yok since 1931 until the sale to Faustino. Moreover, they were the ones who have been paying the realty taxes thereon.*¹⁶

For their part, respondents argued that it was Florencio who originally cultivated the subject lots. It was only after Florencio's death in 1986 when Abelardo started cultivating a portion thereof and made respondents believe that petitioners own the same. Additionally, respondents asserted that the original tax declarations for the subject lots are in Florencio's name and they were the ones paying the realty taxes.¹⁷ Likewise, they asserted that *Lot No. 3564 is covered by OCT No. P-5,388 issued in their father's name sometime in 1997*. Finally, Armando testified that from the time he was born in 1952, their family had been occupying the subject lots and that he has a house in Lot No. 3564, which is adjacent to Lot No. 3567.¹⁸

In an Order¹⁹ dated August 8, 2002, the RTC issued a TRO enjoining: (a) the MTC from conducting further proceedings in the ejectment case; and (b) respondents from entering and further doing agricultural works on the subject lots.

During the hearing on their application for the issuance of a WPI, petitioners presented the following documents, among others: (1) photocopy of the Escritura de Venta executed by Ong Yok;²⁰ (2) photocopy of the Escritura de Venta and Affidavit executed by Florencio; (3) English

¹⁴ *Rollo*, p. 21.

¹⁵ *Id.* at 21.

¹⁶ *Id.* at 22.

¹⁷ *Id.*

¹⁸ *Id.* at 24.

¹⁹ RTC Records, pp. 37–38. Penned by Presiding Judge Ernesto R. Gutierrez.

²⁰ *Id.* at 60.

translation of Florencio's *Escritura de Venta* and Affidavit;²¹ (4) photocopy of the receipts for the payment of the real property taxes;²² (5) photocopy of OCT No. P-5,388;²³ (6) photocopy of Decree No. 702880 issued on April 30, 1931 covering the subject lots in favor of Ong Yok;²⁴ and (7) photocopy of the letter of land investigator Ambrosio R. Regalado dated November 5, 1987 addressed to the District Land Office, Bureau of Lands, Zamboanga City.²⁵

Meanwhile, respondents presented the following documents: (a) photocopy of OCT No. P-5,388;²⁶ (b) photocopy of Declaration of Real Property Nos. 0-01-09-00067 dated "9/8/95" and 0-01-09-00208 dated "2/6/96" covering Lot Nos. 3566 and 3567, respectively;²⁷ (c) demand to vacate;²⁸ (d) photocopy of the Notice of Application for Free Patent dated May 5, 1993 filed by respondents;²⁹ (e) photocopy of the Confirmatory Final Report of the Bureau of Lands for Florencio dated April 2, 1984;³⁰ and (f) photocopy of the Confirmatory Final Report dated May 3, 1993 issued by the Bureau of Lands.³¹

The RTC Ruling

In a Decision³² dated July 27, 2009, the RTC granted petitioner's Complaint, and accordingly, declared: (i) petitioners as the true and absolute owners of Lot Nos. 3564, 3566, and 3567: and (ii) the free patent and OCT No. P-3,588 issued in Florencio's name covering Lot No. 3564 null and void.³³ The dispositive portion reads:

WHEREFORE, judgment is hereby rendered in favor of [petitioners] and against [respondents]:

- 1) Declaring [petitioners] as the true and absolute owners of Lot Nos. 3564, 3566, and 3567;
- 2) Declaring Free Patent No. 097332-97-5432P, and [OCT P-5,388] issued pursuant thereto, null and void;
- 3) Declaring the Writ of Preliminary injunction previously issued in so far as it enjoined [respondents] from entering and occupying the subject premises, permanent; and

²¹ *Id.* at 131 and 133, respectively.

²² *Id.* at 67-84.

²³ *Id.* at 14-14B.

²⁴ *Id.* at 85-92.

²⁵ *Id.* at 66.

²⁶ *Id.* at 155-155B.

²⁷ *Id.* at 192-193A.

²⁸ *Id.* at 194.

²⁹ *Id.* at 205.

³⁰ *Id.* at 207-207A.

³¹ *Id.* at 208.

³² *Rollo*, pp. 69-76.

³³ *Id.* at 75.

4) Declaring Special Civil Action No. 6256-571 pending before the [MTC] academic.

SO ORDERED.³⁴

The RTC ruled that petitioners convincingly established their ownership over the subject lots through the *Escritura de Venta* and Affidavit executed by Florencio in 1952 and 1956, respectively, to recognize and acknowledge that said lots were purchased by Faustino for petitioners. In this regard, the RTC noted that Joaquin Enriquez (Joaquin), the youngest brother of Florencio, testified that the arrangement concerning the ownership of the subject lots was known to their siblings and that he in fact called respondents' attention to it when he heard that respondents were claiming ownership over them. The RTC added that as further narrated by Joaquin, Florencio merely administered said lots because petitioners were still young then. In this regard, the RTC highlighted that based on the evidence, petitioners have been in open, continuous, and exclusive possession of the subject lots for more than 30 years which, thus, vested them ownership through acquisitive prescription.³⁵

In contrast to petitioners, the RTC held that respondents only presented OCT No. P-3,588 covering Lot No. 3564 and the tax declarations covering Lot Nos. 3566 and 3567, all of which, at most, constituted only as evidence of ownership but did not prove their actual ownership of the subject lots. Since the ownership over the subject lots had already been conveyed to petitioners at the latest in 1956, the RTC held that the DENR no longer had jurisdiction over the same. Hence, the issuance of the free patent and OCT No. P-3,588 on July 18, 1997 in the name of Florencio was erroneous, rendering the same null and void *ab initio*.³⁶

Aggrieved, respondents sought reconsideration,³⁷ which was denied in an Order³⁸ dated October 5, 2009. Determined, they appealed before the CA.

Meanwhile, in view of the RTC Decision, the ejectment case was dismissed by the MTC in a Decision dated April 4, 2005, which attained finality on April 29, 2005.³⁹

The CA Ruling

³⁴ *Id.*

³⁵ *Id.* at 73–74.

³⁶ *Id.* at 74–75.

³⁷ RTC Records, pp. 220–225.

³⁸ *Id.* at 232.

³⁹ *Rollo*, p. 85.

In a Decision⁴⁰ dated January 8, 2014, the CA granted respondents' appeal, and accordingly, reversed and set aside the RTC's ruling. According to the CA, assuming that Faustino was the one who actually bought the subject lots from Ong Yok and only used Florencio's name as vendee, the sale, having taken place under the 1935 Constitution, is void since Faustino, being a Chinese citizen, is prohibited from acquiring lands in the Philippines.⁴¹

Moreover, the CA noted that there was no evidence presented by petitioners to prove that Ong Yok previously owned the subject lots. At any rate, the CA held that the *Escritura de Venta* and Affidavit purportedly executed by Florencio deserve scant consideration since the former is unsigned, while the genuineness and due execution of the latter was not established by petitioners.⁴²

In contrast, the CA found that respondents sufficiently established their ownership over the subject lots through the presentation of the free patent and OCT No. P-3,588 covering Lot No. 3564, and the tax declarations and the parties' testimonies pointing to respondents' possession, for Lot Nos. 3566 and 3567.⁴³

Dissatisfied with the CA ruling and realizing their oversight, petitioners filed an Omnibus Motion for Reconsideration and to Remand the Case to the Court *A Quo*⁴⁴ (Omnibus Motion), *arguing that the RTC Decision reviewed by the CA on appeal was premature since the hearing conducted and the evidence presented were merely for the propriety of issuing a preliminary injunction.* They emphasized that the RTC Decision was rendered without trial and presentation of evidence on the merits, depriving the parties of the opportunity to present all their evidence on the merits of the case.

In a Resolution⁴⁵ dated September 19, 2014, the CA denied petitioners' Omnibus Motion, declaring that petitioners are estopped from disputing the veracity of the RTC Decision which they relied on and vehemently defended in their pleadings before it and the trial court.⁴⁶

Hence, this Petition under Rule 45 of the Rules of Court.

The Issue Before the Court

⁴⁰ *Id.* at 20–37.

⁴¹ *Id.* at 28–30.

⁴² *Id.* at 30–33.

⁴³ *Id.* at 33–36.

⁴⁴ *Id.* at 38–43.

⁴⁵ *Id.* at 44–47.

⁴⁶ *Id.* at 45–46.

The core issue before the Court is whether the CA committed reversible error in denying their Omnibus Motion on the ground of estoppel.

Petitioners maintain that the RTC Decision, which the CA reviewed and decided on the merits, was rendered without full trial and presentation of the parties' respective evidence on the merits of the case. They assert that the hearing on their prayer for the issuance of a WPI required only such evidence as sufficient to determine whether the WPI should be issued. Hence, they argue that the CA decided a question of substance in a way not in accord with law and applicable jurisprudence as it should have granted their Omnibus Motion and remanded the case to the RTC for full blown trial on the merits.⁴⁷

In their Memorandum,⁴⁸ petitioners reiterate the foregoing arguments, but add that they are not estopped from raising the absence of a full-blown trial on the merits and seeking remand of the case to the court *a quo* since respondents were the ones who appealed the case before the CA. Moreover, they claim that it was only upon reading the CA Decision that they discovered that the RTC prematurely decided the case without the issues having been properly joined and submitted for resolution.⁴⁹

For their part,⁵⁰ respondents argue that petitioners are already estopped from assailing the propriety of the RTC Decision and insisting on the remand of the case since they have vigorously defended the same before the RTC and the CA. They assert that it was only when the CA rendered a ruling unfavorable to them that petitioners have complained against the purported lack of trial on the merits before the lower court.⁵¹

The Court's Ruling

The Petition is granted.

Prefatorily, it must be stressed that in a petition for review on *certiorari* under Rule 45 of the Rules of Court, only questions of law can be raised. For a question to be one of law, the same must not involve an examination of the probative value of the evidence presented by the litigants or any of them.⁵²

A question of law arises when there is doubt as to what the law is on a certain state of facts, while there is a question of fact when the doubt arises as to the truth or falsity of the alleged facts. For a question to be one of law, its resolution must not involve an examination of the probative value of the

⁴⁷ *Id.* at 13–15.

⁴⁸ *Id.* at 189–202.

⁴⁹ *Id.* at 193–197.

⁵⁰ *Id.* at 153–158, 205–225.

⁵¹ *Id.* at 154–156.

⁵² *Aguilar v. Benlot*, 845 Phil. 885, 896 (2019) [Per J. Reyes, Jr., Second Division].

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evidence presented by the litigants but must rely solely on what the law provides on the given set of facts. If the facts are disputed or if the issues require an examination of the evidence, the question posed is one of fact. The test, therefore, is not the appellation given to a question by the party raising it, but whether the appellate court can resolve the issue without examining or evaluating the evidence, in which case, it is a question of law; otherwise, it is a question of fact.⁵³

In this case, petitioners assert that the issue raised in this case, i.e., whether the CA erred in refusing to remand the case to the RTC for the conduct of trial and resolution of the case on the merits, is purely one of law since it simply requires a determination of whether the RTC gravely erred or abused its discretion in deciding on the merits of the case despite the issues not having been joined due to the absence of a pre-trial, and thereafter submitting the case for resolution. Viewed in this light, the Court agrees that the question as presented is one of law that a petition for review on *certiorari* contemplates.

Nonetheless, the resolution of this issue will necessarily require the Court to review the entire records of the case, including the entire proceedings before the trial court, to determine whether indeed (i) the hearing and presentation of evidence conducted before the trial court were simply for the determination of whether petitioners' prayer for the issuance of a WPI should be granted, and (ii) the issues have not been joined, due to the absence of a pre-trial, and thereafter submitted for resolution. A review of the records is rendered unavoidable considering that the RTC explicitly stated in its Decision that "[i]ssues having been joined, pre-trial and trial on the merits proceeded."⁵⁴ Verily, these entail factual determination that is not proper in a Rule 45 petition.

The foregoing notwithstanding, case law has recognized several exceptions to the rule, namely: (a) when the findings are grounded entirely on speculation, surmises or conjectures; (b) when the inference made is manifestly mistaken, absurd or impossible; (c) when there is grave abuse of discretion; (d) *when the judgment is based on a misapprehension of facts*; (e) when the findings of facts are conflicting; (f) 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; (g) *when the findings are contrary to those of the trial court*; (h) when the findings are conclusions without citation of specific evidence on which they are based; (i) 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; (j) *when the findings of fact are premised on the supposed absence of evidence and contradicted by the evidence on record*; and (k) when the CA manifestly overlooked certain relevant facts not

⁵³ *Disuanco v. Villafuerte*, G.R. No. 247391, July 13, 2021 [Per J. J. Lopez, *En Banc*]; and *Escoto v. Philippine Amusement and Gaming Corporation*, 797 Phil. 320, 327 (2016) [Per J. Bersamin, First Division].

⁵⁴ *Rollo*, p. 70.

disputed by the parties, which, if properly considered, would justify a different conclusion.⁵⁵

Here, as the subsequent discussions will show, the apparent misapprehension made by the CA with respect to the presence (or absence) of pre-trial and trial on the merits; the apparent erroneous findings of the CA regarding the supposed absence of evidence, but which is contradicted by the evidence on record; and the conflicting factual findings of the RTC, on the one hand, and the CA, on the other, with regard to issue of ownership over the subject lots, justify resolution of the legal and the underlying factual issues in this case in the exercise by the Court of its discretionary appellate jurisdiction.

The RTC committed grave abuse of discretion in deciding the case on the merits despite the absence of pre-trial and trial on the merits. The hearing and presentation of evidence conducted before it was for the purpose of determining the propriety of issuing a WPI.

A preliminary injunction is an order granted at any stage of an action or proceeding prior to the judgment or final order requiring a party or a court, an agency, or a person to refrain from a particular act or acts. Its essential role is to preserve the rights of the parties in order to protect the ability of the court to render a meaningful decision, or in order to guard against a change of circumstances that will hamper or prevent the granting of the proper relief *after the trial on the merits*. Another essential role is to prevent threats to cause irreparable harm or injury to a party before the litigation could be resolved.⁵⁶

Case law provides that a writ of preliminary injunction is warranted only where there is a showing that there exists a right to be protected and that the acts against which the writ is to be directed violate an established right. A court, deciding on the propriety of issuing a temporary restraining order and/or a writ of preliminary injunction, only looks into the existence of two things: (1) a clear and unmistakable right that must be protected; and (2) an urgent and paramount necessity for the writ to prevent serious damage. Accordingly, it must be stressed that the sole object of a writ of preliminary injunction, whether prohibitory or mandatory, is *to preserve the status quo and prevent further injury on the applicant until the merits of the main case can be heard*.⁵⁷

⁵⁵ *Soliva v. Tanggol*, 869 Phil. 707, 719–720 (2020) [Per J. Carandang, Third Division].

⁵⁶ *Land Bank of the Philippines v. Spouses De Jesus*, G.R. No. 221133, June 28, 2021 [Per J. Hernando, Third Division].

⁵⁷ *Excellent Essentials International Corporation v. Extra Excel International Philippines, Inc.*, 830 Phil. 24, 40 (2018) [Per J. Martires, Third Division]. *See also Sumifru (Philippines) Corporation v. Spouses Cereño*, 825 Phil. 743, 752 (2018) [Per J. Carpio, Second Division].

Since the writ of preliminary injunction is temporary until the main case is resolved on the merits, the Court has emphasized that *the evidence submitted during the hearing on the preliminary injunction is not conclusive*. The party asking for the issuance of the writ need to present *only a “sampling” sufficient to give the trial court an idea of the justification for its issuance pending the decision of the case on the merits*. As such, *the findings of fact and opinion of a court when issuing the writ of preliminary injunction are interlocutory in nature*⁵⁸ and cannot preempt the resolution of the case on the merits.⁵⁹

Here, a review of the records shows that the several hearings conducted by the RTC, including the various documents submitted in evidence, *were intended solely for the purpose of determining whether an injunctive relief should be granted*. In fact, a perusal of the Orders issued by the RTC, including the parties submissions in relation thereto, would readily reveal that: (i) a TRO effective from service was issued on August 8, 2002 and petitioners' application for a WPI was set for initial hearing on August 23, 2002;⁶⁰ (ii) while the case was set for pre-trial and the parties had submitted their respective pre-trial briefs, there was no pre-trial conducted and pre-trial order issued;⁶¹ (iii) hearings were subsequently conducted to hear petitioners' application for issuance of a WPI, the last being on July 15, 2004,⁶² with the parties thereafter submitting their respective formal offer of evidence and comment/objections thereto, the last of which was submitted on September 13, 2004;⁶³ and (iv) thereafter, the RTC rendered the Decision on July 27, 2009. Moreover, it bears noting that the parties' respective evidence to support or oppose the application for injunctive relief were mere photocopies or machine copies, with the original copy having been presented in court merely for comparison.

From the foregoing, the Court is of the view that the resolution of the issue of ownership in the Decision of the RTC can and must be understood as

⁵⁸ *Excellent Essentials International Corporation v. Extra Excel International Philippines, Inc.*, 830 Phil. 24, 40 (2018) [Per J. Martires, Third Division].

⁵⁹ *Cuenca v. Atas*, 561 Phil. 186, 219 (2007) [Per J. Velasco, Second Division].

⁶⁰ RTC Records, pp. 37–38.

⁶¹ *Id.* at 48–49, 50–51, 52–56, 93–99.

⁶² *Id.* at 179.

⁶³ See petitioners' Manifestation stating that the hearing scheduled on June 5, 2003 was the hearing for their application for WPI and praying that the same be heard on June 25, 2003, the date initially scheduled by the RTC for the reception of petitioners' evidence (*Id.* at 102–103); Order dated August 20, 2003 requiring the parties to submit their respective formal offer of evidence and their comment/opposition to the other party's formal offer of evidence, (*Id.* at 108); petitioners' Formal Offer of Evidence (Application for a Writ of Preliminary Injunction), (*Id.* at 111–116); Order dated September 11, 2003 setting the hearing for the reception of respondents' controverting evidence on October 3, 2003 (*Id.* at 156); Order dated September 16, 2003 superseding the September 11, 2003 Order and directed respondents to submit their controverting evidence instead on September 17, 2003 (*Id.* at 157); Order dated December 11, 2003 setting the continuation of respondents' presentation of evidence in opposition to petitioners' application for WPI on January 29, 2004 (*Id.* at 162); petitioners' Motion to Reset Hearing for the presentation of respondents' evidence in the application for WPI (*Id.* at 171–172); Order dated June 3, 2004 resetting the reception of respondents' evidence in the application for WPI on July 15, 2004 (*Id.* at 173); respondents' Formal Offer of Evidence (*Id.* at 186–190); petitioners' Comments/Objections on respondents' evidence (*Id.* at 209–210); and Order dated September 14, 2004 admitting respondents' exhibits and noting petitioners' Comments/Objections (*Id.* at 211).

determinative only of the necessity (or lack thereof) for the grant of injunctive relief and therefore, should not have preempted the resolution of the case on the merits. In acting as it did in granting petitioners' Complaint without the conduct of pre-trial and trial on the merits, the RTC effectively adopted the allegations which petitioners ought to prove and reversed the rule on the burden of proof.⁶⁴ Verily, the evidence presented by the parties during the hearings were preliminary, or a mere "sampling," and sufficient only to the extent of giving the trial court an idea of the justification for the issuance (or non-issuance) of the injunctive writ pending the decision of the case on the merits.

Accordingly, the Court finds that the RTC committed grave abuse of discretion amounting to lack or excess of jurisdiction. Grave abuse of discretion has been defined as such capricious and whimsical exercise of judgment as to be equivalent to lack or excess of jurisdiction, or when the power is exercised in an arbitrary or despotic manner by reason of passion, prejudice, or personal hostility, and such exercise is so patent or so gross as to amount to an evasion of a positive duty or to a virtual refusal either to perform the duty enjoined or to act at all in contemplation of law.⁶⁵ Case law settles that *a judgment rendered with grave abuse of discretion is void and does not exist in legal contemplation.*⁶⁶

Since the RTC's July 27, 2009 Decision was rendered with grave abuse of discretion, and hence, void, petitioners were not barred from assailing the validity thereof before the CA in their Motion for Reconsideration and seeking remand of the case for trial on the merits. To emphasize, *a judgment rendered with grave abuse of discretion is void and does not exist in legal contemplation.* As such, in the eyes of the law, the RTC Decision did not and could not have validly nullified OCT No. P-3,588 and vested ownership over the subject lots in petitioners' favor. The RTC Decision was not a mere error of judgment remediable under an ordinary appeal, and over which, the failure to assert the same on appeal would bind the parties to the case.

The CA gravely erred in denying petitioners' Motion for Reconsideration praying for the remand of the case for trial on the merits.

Based on the foregoing discussions, since the RTC Decision is void, and thus, legally non-existent, there, in effect, was likewise no Decision which the CA could have reviewed on appeal on the merits. Consequently, when confronted with the patent error in its ruling, it behooved the CA to reconsider the same on petitioners' motion and remand the case before the court *a quo* for trial and resolution of the issues on the merits. In failing as it did, the CA

⁶⁴ *Land Bank of the Philippines v. Spouses De Jesus*, G.R. No. 221133, June 28, 2021 [Per J. Hernando, Third Division].

⁶⁵ *Id.*

⁶⁶ *Diaz v. Republic of the Philippines*, 625 Phil. 243, 256 (2010) [Per J. Corona, Third Division].

committed grave reversible error warranting a reversal of its Decision in the exercise of the Court's discretionary appellate jurisdiction.

Reversible error has been defined as a legal mistake at the trial court level which is so significant that without the error the outcome may have been different, and the judgment must be reversed by the appellate court.⁶⁷ Case law defines reversible error as mistakes of judgment, in contrast to jurisdictional errors for which a *certiorari* may lie.⁶⁸

In this case, in reversing the RTC's ruling, the CA held that petitioners did not present any evidence to prove Ong Yok's previous ownership over the subject lots, and since Florencio's *Escritura de Venta* was unsigned, there was effectively hardly any evidence to support petitioners' claim of ownership. In contrast, however, the CA held that respondents' OCT No. P-3,588, as well as copy of the declaration of real property, sufficiently proved their ownership over the subject lots.

To the Court's mind, the CA failed to thoroughly consider several relevant facts and evidence on record which could have led to a different inference. Pertinently, contrary to the CA's observation, petitioners submitted a copy of Decree No. 702880⁶⁹ issued on April 20, 1931, granting the subject lots in favor of Ong Yok. Additionally, the declaration of real property for Lot Nos. 3566 and 3567, which respondents presented in evidence, were issued only in 1995 and 1996, respectively. Respondents likewise failed to submit evidence of payment of real property taxes. When considered together with the recency of the dates of the tax declaration, respondents' failure to present evidence of their payment of real property taxes ostensibly belied their claim of continued possession of the subject lots even after Florencio's death. Finally, while several of the real property tax receipts submitted in evidence by petitioners were in the name of Florencio, several of these receipts were likewise in the name of Romeo as payee, and that their payment of the realty taxes dated back to 1980.

Certainly, the Court recognizes the fact that petitioners defended the RTC Decision before both the court *a quo* and the CA, in opposition to respondents' Motion for Reconsideration and appeal. Indeed, if the Court were to consider this fact alone, the Court will be more inclined to agree with the CA's ruling that petitioners are now estopped from assailing the veracity of said RTC Decision after they have relied on and defended the same. Case law settles that representations or admissions made by a party are rendered conclusive upon them and cannot be denied or disproved as against the other party relying on them.⁷⁰

⁶⁷ THE PEOPLE'S LAW DICTIONARY 362 (2002). available at <https://ia800607.us.archive.org/22/items/B-001-001-744/B-001-001-744.pdf> (last accessed on May 20, 2024).

⁶⁸ *People v. Maquiling*, 368 Phil. 169, 183 (1999) [Per J. Panganiban, Third Division].

⁶⁹ RTC Records, pp. 85-92.

⁷⁰ *Abalos v. Sps. Darapa*, 661 Phil. 553, 565 (2011) [Per J. Perez, First Division], citing *Pacific Mills v. Court of Appeals*, 513 Phil. 534, 544 (2005) [Per J. Chico-Nazario, Second Division]. See also

Case law establishes the following as elements of estoppel in relation to the party sought to be estopped: (1) a clear conduct amounting to false representation or concealment of material facts or, at least, calculated to convey the impression that the facts are otherwise than, and inconsistent with, those which the party subsequently attempts to assert; (2) an intent or, at least, an expectation, that this conduct shall influence, or be acted upon by, the other party; and (3) the knowledge, actual or constructive, by him of the real facts.⁷¹

As regards the party claiming estoppel, the following are the requisites that must be satisfied: (a) lack of knowledge or of the means of knowledge of the truth as to the facts in question; (b) reliance, in good faith, upon the conduct or statements of the party to be estopped; and (b) action or inaction based thereon of such character as to change his position or status calculated to cause him injury or prejudice.⁷²

The circumstances of this case, however, convince the Court that not all the elements of estoppel are present. Under the facts, it appeared that both parties relied in good faith that the Decision rendered by the RTC was on the merits and that it was only afterwards when petitioners discovered that the case was prematurely decided by the RTC. Indeed, given the lapse of time that the case had been pending before the RTC, it is hardly inconceivable that both parties had forgotten that the various hearings previously conducted pertained to the preliminary injunction prayed for by petitioners, after the TRO was issued. Moreover, it appears that no undue injury will be caused to respondents with the remand of the case for trial on merits. Thus, to the Court's mind, a remand of the case for a full and complete resolution of the issues will better serve the interest of justice and settle the parties' claim of ownership over the subject lots.

All told, the CA committed grave reversible error in denying petitioners' Motion for Reconsideration simply on the ground of estoppel. The surrounding circumstances of the case warrant a remand of the case to the court *a quo* in the interest of justice.

Metropolitan Bank & Trust Company v. Court of Appeals, 388 Phil. 880, 888 (2000) [Per J. Buena, Second Division].

⁷¹ *Department of Education v. Rizal Teachers Kilusang Bayan for Credit, Inc.*, 855 Phil. 758, 781 (2019) [Per J. Lazaro-Javier, Second Division]. See also *British American Tobacco v. Sec. Camacho*, 584 Phil. 489, 513-514 (2008) [Per J. Ynares-Santiago, *En Banc*], which provides the general elements of estoppel, as follows: *first*, the actor who usually must have knowledge, notice or suspicion of the true facts, communicates something to another in a misleading way, either by words, conduct or silence; *second*, the other in fact relies, and relies reasonably or justifiably, upon that communication; *third*, the other would be harmed materially if the actor is later permitted to assert any claim inconsistent with his earlier conduct; and *fourth*, the actor knows, expects or foresees that the other would act upon the information given or that a reasonable person in the actor's position would expect or foresee such action.

⁷² *Department of Education v. Rizal Teachers Kilusang Bayan for Credit, Inc.*, 855 Phil. 758, 781 (2019) [Per J. Lazaro-Javier, Second Division].

ACCORDINGLY, the Court resolves to **GRANT** the Petition for Review on *Certiorari*. The assailed Decision dated January 8, 2014 and the Resolution dated September 19, 2014 of the Court of Appeals in CA-G.R. CV No. 02026-MIN are hereby **REVERSED** and **SET ASIDE**. The case is hereby **REMANDED** to Branch 14, Regional Trial Court, Zamboanga City for trial on the merits and resolution of the case docketed as Civil Case No. 5289 **WITH DISPATCH**.

SO ORDERED.



ANTONIO T. KHO, JR.

Associate Justice

WE CONCUR:



MARVIC M.V.F. LEONEN

Senior Associate Justice
Division Chairperson



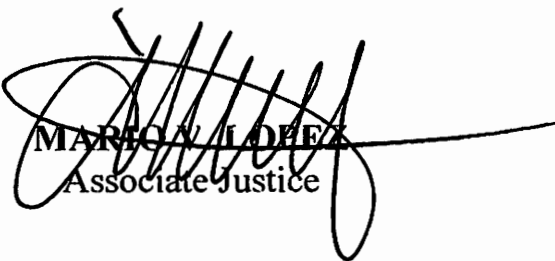
ALFREDO BENJAMIN S. CAGUIOA

Associate Justice



AMY C. LAZARO-JAVIER

Associate Justice



MARLON L. DEEZ

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.



MARVIC M.V.F. LEONEN

Senior Associate Justice
Chairperson, Second Division

CERTIFICATION

Pursuant to Article VIII, Section 13 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