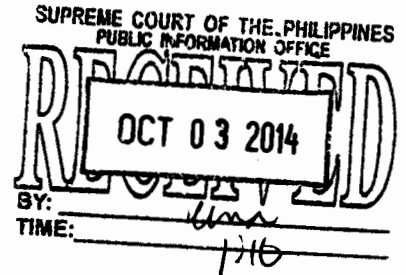




Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

NOTICE



Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **September 15, 2014** which reads as follows:*

“G.R. No. 207380 (National Council of Churches in the Philippines v. Philippine Savings Bank).

After a judicious review of the records, the Court resolves to **DENY** the instant petition and **AFFIRM** the September 25, 2012 Decision¹ and May 31, 2013 Resolution² of the Court of Appeals (CA) in CA-G.R. CV No. 91447 for failure of petitioner National Council of Churches in the Philippines (NCCP) to show that the CA committed any reversible error in holding that it failed to prove that Reverend Roman B. Tiples, Jr.’s signature in the notarized Deed of Absolute Sale dated December 2, 1999 was forged.

As correctly ruled by the CA, a notarized deed of sale is a public document that has in its favor the presumption of regularity. As such, it can only be rebutted by clear, strong, and convincing evidence,³ which does not obtain in this case.

Further, the CA was also correct in holding that the default and consequent failure of Maria Pamela Aguado, Emily Aguado, and Gregorio Aguado to testify did not relieve NCCP from the burden of proving its cause of action. It is a fundamental rule that the mere fact of default or declaration of default against a defendant does not automatically result in the grant of the prayers of the petitioner. The latter must still present the same quantum of evidence that would be required if the defendant was present,⁴ which NCCP failed to do.

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¹ *Rollo*, pp. 34-47. Penned by Associate Justice Ramon A. Cruz with Associate Justices Romeo F. Barza and Stephen C. Cruz, concurring.

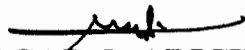
² *Id.* at 49-50.

³ See *Dizon v. Tuazon*, G.R. No. 172167, July 9, 2008, 557 SCRA 487.

⁴ See *Gajudo v. Traders Royal Bank*, G.R. No. 151098, March 21, 2006, 485 SCRA 108.

SO ORDERED.” SERENO, C.J., on leave; **VELASCO, JR., J.**, acting member per S.O. No. 1772 dated August 28, 2014.

Very truly yours,


EDGAR O. ARICHETA
Division Clerk of Court

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(Civil Case No. 05 - 002)

Judgment Division (x)
Supreme Court

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