

SUPREME COURT OF THE PHILIPPINES
PUBLIC INFORMATION OFFICE
RECEIVED
JAN 10 2020
BY: VCA
TIME: 1:46 PM

Republic of the Philippines
Supreme Court
Manila

SECOND DIVISION

SIMEONA, GLORIA AND
RODOLFO (ALL
SURNAMED PRESCILLA),
ARMENTINA PRESCILLA-
PERDES, HERMINIA
PRESCILLA-CARANDANG,
ZENAIDA PRESCILLA-
MANUEL AND YOLANDA
PRESCILLA-MARCIANO,
Petitioners,

G.R. No. 205805

Present:

CARPIO,* J., Chairperson,
CAGUIOA,
J. REYES, JR.,
LAZARO-JAVIER, and
ZALAMEDA, JJ.

- versus -

CONRADO O. LASQUITE
AND JUANITO L. ANDRADE,
Respondents.

Promulgated:

25 SEP 2019

X-----X

DECISION

CAGUIOA, J.:

Before the Court is an appeal *via* a Petition for Review on *Certiorari*¹ (Petition) under Rule 45 of the Rules of Court filed by petitioners Simeona Prescilla, Gloria Prescilla, *et al.* (petitioners Prescilla, *et al.*) assailing the Decision² dated August 31, 2012 (assailed Decision) and Resolution³ dated February 11, 2013 (assailed Resolution) of the Court of Appeals (CA), Seventh Division in CA-G.R. SP No. 122109.

The Facts and Antecedent Proceedings

The instant case stems from a Complaint for Reconveyance and Damages⁴ filed on March 8, 1989 by petitioners Prescilla, *et al.* against

* Designated as Acting Chief Justice per Special Order No. 2703 dated September 10, 2019.
¹ *Rollo*, pp. 8-23.
² *Id.* at 24-33. Penned by Associate Justice Romeo F. Barza with Associate Justices Noel G. Tijam and Ramon A. Cruz, concurring.
³ *Id.* at 35-36.
⁴ *Records*, Vol. 1, pp. 1-7.

respondents Conrado Lasquite (respondent Lasquite) and Juanito Andrade (respondent Andrade) before the Regional Trial Court of San Mateo, Rizal, Branch 77 (RTC). The case was docketed as Civil Case No. 548.

In the aforesaid Complaint, petitioners Prescilla, *et al.* claimed to be the tillers of parcels of land designated as Lot No. 3050 (subject property) and Lot No. 3052 located at Barrio Ampid, San Mateo.

According to petitioners Prescilla, *et al.*, they have been in possession in *concepto de dueno* of the subject property since 1940, planting and cultivating crops thereon. However, it was alleged that the respondents Lasquite and Andrade were able to fraudulently obtain original certificate of titles covering the subject properties. Respondent Lasquite was able to obtain Original Certificate of Title (OCT) No. NP-198, while respondent Andrade was able to obtain OCT No. NP-197, both covering the subject property.

A second Complaint in Intervention for Annulment and Cancellation of Title, Reconveyance and Damages was filed by Roberto and Raquel Manahan, Maria Gracia M. Natividad, the heirs of Leocadio Manahan and the heirs of Joaquin Manahan (the Manahans) against respondents Lasquite and Andrade on June 23, 1993. On their part, the Manahans asserted title over the subject property as successors of one Jose S. Manahan. The case was consolidated with Civil Case No. 548.

In the course of the trial, **Victory Hills, Inc.** (Victory Hills) intervened, claiming to be the owner of the subject property.

The Decision of the RTC in Civil Case No. 548

On July 2, 2002, the RTC rendered its Decision⁵ which, while upholding petitioners Prescilla, *et al.*'s right of ownership over Lot No. 3052, upheld the respondents Lasquite and Andrade's rights of ownership over the subject property.

The dispositive portion of the RTC's Decision reads:

Accordingly, the title of defendants Conrado Lasquite and Jose Andrade, involving the subject parcel of land under OCT No. NP-198 and OCT No. NP-197 registered on June 18, 1981, are sustained. Likewise the title issued to plaintiffs Prescilla, under OCT No. ON-333 involving Lot 3052 is sustained.

WHEREFORE, premises considered, judgment is hereby rendered dismissing these cases.

⁵ Records, Vol. 3, pp. 129-150. Penned by Judge Francisco C. Rodriguez, Jr.



No Costs.

SO ORDERED.⁶

Petitioners Prescilla, *et al.*, the Manahans and Victory Hills interposed their respective appeals before the CA, Eighth Division. The appeals were docketed as CA G.R. CV No. 77599.

*The Decision of the CA, Eighth Division in CA
G.R. CV No. 77599*

In its Decision⁷ dated November 8, 2006, the CA, Eighth Division **annulled and set aside the RTC's Decision and declared Victory Hills the owner of the subject property.**

The dispositive portion of the aforesaid Decision reads:

WHEREFORE, the Decision dated July 2, 2002 rendered by the Regional Trial Court of San Mateo, Rizal, Branch 77 is **ANNULLED** and **SET ASIDE** and a new one entered **DECLARING VICTORY HILLS, INC.** the absolute owner of the parcel of land designated as Lot 3050 subject of the instant case and **ORDERING** the Register of Deeds of Rizal to cancel OCT No. NP-198 and OCT No. NP-197 in the names of defendants-appellees Conrado Lasquite and Juanito Andrade.

SO ORDERED.⁸

Feeling aggrieved, petitioners Prescilla, *et al.* filed a Motion for Reconsideration⁹ dated November 27, 2006.

On the other hand, instead of filing a motion for reconsideration, respondents Lasquite and Andrade resorted to a different remedy and decided to directly file a Petition for Review on *Certiorari* before the Court.¹⁰ The appeal, entitled *Conrado O. Lasquite and Teodora I. Andrade v. Victory Hills, Inc.*,¹¹ was docketed as G.R. No. 175375.

Upon knowledge of the respondents Lasquite and Andrade's appeal before the Court, the CA, Eighth Division issued a Resolution dated December 22, 2006, which *suspended* the proceedings and the resolution of petitioners Prescilla, *et al.*'s Motion for Reconsideration until

⁶ Id. at 150.

⁷ CA *rollo*, pp. 50-64. Penned by Associate Justice Rosmari D. Carandang (now a member of this Court) with Associate Justices Renato C. Dacudao and Estela M. Perlas-Bernabe (now a member of this Court).

⁸ Id. at 63-64.

⁹ Id. at 65-75.

¹⁰ Second Division.

¹¹ 608 Phil. 418 (2009)

respondents Lasquite and Andrade's appeal has been resolved by the Court.

The said Resolution reads:

"In view of defendants-appellees' (Conrado Lasquite and Juanito Andrade) Petition for Review on Certiorari filed with the Supreme Court, proceedings in this court are deemed suspended until such time the said Petition for Review on Certiorari has been resolved by the Supreme Court."¹²

The Court's Decision in G.R. No. 175375

In its Decision¹³ dated June 23, 2009, the Court, through Justice Leonardo A. Quisimbing, reversed the CA, Eighth Division's Decision dated November 8, 2006.

The Court held that Victory Hills failed to show its entitlement to a reconveyance of the land subject of the action and that the CA, Eighth Division erroneously declared Victory Hills as the absolute owner of the subject property.

The dispositive portion of the Court's Decision reads:

WHEREFORE, the petition is **GRANTED**. The Decision dated November 8, 2006 of the Court of Appeals in CA G.R. CV No. 77599 is hereby **REVERSED** and **SET ASIDE**. The Decision dated July 2, 2002 of the Regional Trial Court of San Mateo, Rizal, Branch 77, is **REINSTATED**. No pronouncement as to costs.

SO ORDERED.¹⁴

The Court's Decision became final and executory and was entered in the Book of Entries of Judgment on February 24, 2010, as evidenced by the Entry of Judgment¹⁵ issued even date.

Respondents Lasquite and Andrade's Motion for Execution

On November 22, 2010, respondents Lasquite and Andrade filed a Motion for Execution¹⁶ before the RTC, invoking the Court's final and executory Decision dated June 23, 2009.

¹² *Rollo*, p. 295.

¹³ *CA rollo*, pp. 78-90. Penned by Leonardo A. Quisumbing with Associate Justices Consuelo Ynares-Santiago, Minita V. Chico-Nazario, Teresita J. Leonardo-De Castro and Arturo D. Brion; *Lasquite v. Victory Hills, Inc.*, supra note 11.

¹⁴ *Id.* at 89; *id.* at 435.

¹⁵ *Rollo*, p. 84.

¹⁶ *CA rollo*, pp. 96-101.

In an Order¹⁷ dated April 8, 2011, the RTC granted respondents Lasquite and Andrade's Motion and issued a Writ of Execution in the latter's favor.

Petitioners Prescilla, *et al.* filed a Motion for Reconsideration,¹⁸ which was denied by the RTC in its Order¹⁹ dated September 9, 2011.

Hence, petitioners Prescilla, *et al.* filed a Petition for *Certiorari*²⁰ under Rule 65 of the Rules of Court before the CA, Seventh Division alleging that the RTC committed grave abuse of discretion in issuing a Writ of Execution against petitioners Prescilla, *et al.* The case was docketed as CA-G.R. SP No. 122109.

The CA, Seventh Division's assailed Decision and Resolution in CA-G.R. SP No. 122109

In the assailed Decision, the CA, Seventh Division found that the RTC did not commit grave abuse of discretion when it granted the respondents Lasquite and Andrade's Motion for Execution in view of the finality of the Court's Decision in G.R. No. 175375. Hence, in the CA's view, its execution could not be postponed or deferred by the RTC:

In fine, this Court finds no abuse in the trial court's discretion, much less a grave one, when it granted the private respondents' motion for execution in view of the finality of the Supreme Court's decision in G.R. No. 175375, which is not disputed. Hence, its execution could not be postponed or deferred by the trial court.

WHEREFORE, the petition is hereby **DISMISSED**.

SO ORDERED.²¹

Petitioners Prescilla, *et al.* filed a Motion for Reconsideration,²² which was denied by the CA, Seventh Division in its assailed Resolution.

Hence, the instant appeal.

Issue

The only essential and determinative issue to be resolved by the Court is whether the RTC committed grave abuse of discretion in issuing a Writ of Execution against petitioners Prescilla, *et al.*

¹⁷ Id. at 19-21. Penned by Lily Villareal Biton.

¹⁸ Id. at 128-132.

¹⁹ Records, Vol. 5, pp. 35-36.

²⁰ Records, Vol. 4, pp. 1-15.

²¹ *Rollo*, p. 32.

²² CA *rollo*, pp. 303-310.



The Court's Ruling

The instant Petition is impressed with merit. The CA, Seventh Division committed an error in not finding that the RTC gravely abused its discretion in issuing a Writ of Execution against petitioners Prescilla, *et al.*

It is not difficult to understand that the RTC gravely abused its discretion in the instant case. To recall, in CA G.R. CV No. 77599, when the CA, Eighth Division issued its Decision in favor of Victory Hills and against petitioners Prescilla, *et al.* and respondents Lasquite and Andrade, it is not disputed whatsoever that **petitioners Prescilla, *et al.* timely filed a Motion for Reconsideration.**

As stated earlier, upon knowledge of respondents Lasquite and Andrade's appeal before the Court, the CA issued a Resolution dated December 22, 2006 suspending the resolution of petitioners Prescilla, *et al.*'s Motion for Reconsideration until the respondents Lasquite and Andrade's appeal had been resolved with finality by the Court.

It is not disputed that petitioners Prescilla, *et al.*'s Motion for Reconsideration is still pending before the CA, Eighth Division and has not been resolved as of date. In the assailed Decision, the CA, Seventh Division itself recognized that the resolution of petitioners Prescilla, *et al.*'s Motion for Reconsideration is still suspended and has not yet been resolved.²³

In fact, the Court issued a Resolution²⁴ dated March 4, 2019 directing the parties to move in the premises by informing the Court as to whether the CA, Eighth Division had already resolved petitioners Prescilla, *et al.*'s Motion for Reconsideration. In their Compliance and Manifestation²⁵ dated May 14, 2019, petitioners Prescilla, *et al.* informed the Court that their Motion for Reconsideration before the CA, Eighth Division "remains unacted upon and unresolved."²⁶ On the other hand, respondents Lasquite and Andrade ignored the directive of the Court.

Section 4, Rule 52 of the Rules of Court is clear and unequivocal: the pendency of a motion for reconsideration filed on time and by the proper party shall stay the execution of the judgment or final resolution sought to be reconsidered.

Therefore, as to petitioners Prescilla, et al., whose Motion for Reconsideration is still pending before the CA, Eighth Division, it must be stressed that the controversy has not been resolved with finality.

²³ Rollo, p. 31.

²⁴ Id. at 292-293.

²⁵ Id. at 294-297.

²⁶ Id. at 295.



Consequently, as far as petitioners Prescilla, *et al.* are concerned, there is no judgment that is already ripe for execution.

In believing that the RTC did not gravely abuse its discretion in issuing a Writ of Execution against petitioners Prescilla, *et al.*, in the assailed Decision, the CA, Seventh Division hinged its theory on the bare fact that in G.R. No. 175375, *i.e.*, *Lasquite v. Victory Hills, Inc.*, the Court ruled with finality in favor of respondents Lasquite and Andrade.

The CA, Seventh Division seriously erred in its appreciation of *Lasquite v. Victory Hills, Inc.*

The assailed Decision itself acknowledged that “the petitioners were not parties to the petition for review filed by [respondents Lasquite and Andrade] to the Supreme Court, docketed as G.R. No. 175375, when the latter appealed [the CA, Eighth Division’s] decision in CA-G.R. CV No. 77599.”²⁷

It is elementary that a judgment of a court is conclusive and binding only upon the parties and their successors-in-interest after the commencement of the action in court. **A decision rendered on a complaint in a civil action or proceeding does not bind or prejudice a person not impleaded therein, for no person shall be adversely affected by the outcome of a civil action or proceeding in which he is not a party.** The principle that a person cannot be prejudiced by a ruling rendered in an action or proceeding in which he has not been made a party conforms to the constitutional guarantee of due process of law.²⁸

To reiterate, in G.R. No. 175375, only respondents Lasquite and Andrade as well as Victory Hills were the parties involved. **Petitioners Prescilla, *et al.* were not impleaded parties in the said case.**

While the CA, Seventh Division recognized this fact, it persistently believed that the Court’s Decision in G.R. No. 175375 is still binding as to petitioners Prescilla, *et al.* because the said final and executory ruling “involved the very same property (Lot 3050) that was the subject in CA-G.R. CV No. 77599 and the Supreme Court passed upon and determined all the issues involved therein when it reversed and set aside this Court’s decision and reinstated the decision of the trial court.”²⁹

Again, the CA, Seventh Division seriously erred.

Even a cursory reading of the Court’s Decision in G.R. No. 175375 would readily reveal that the said final and executory ruling did not rule

²⁷ Id. at 30. Underscoring supplied.

²⁸ *Guy v. Atty. Gacott*, 778 Phil. 308, 320 (2016).

²⁹ *Rollo*, p. 30. Emphasis omitted.

whatsoever on the right of ownership of respondents Lasquite and Andrade over the subject property *vis-à-vis* the claim of ownership of petitioners Prescilla, *et al.* The CA, Seventh Division's belief that the Court's Decision settled all the issues involved concerning the ownership over the subject property is clearly belied by the Court's Decision itself.

In *Lasquite v. Victory Hills, Inc.*, being an appeal solely directed against Victory Hills and no other party, the Court merely concerned itself with two issues: "(1) whether respondent Victory Hills, Inc. is entitled to reconveyance of Lot No. 3050; and (2) whether respondent's [(referring to Victory Hills)] claim had prescribed."³⁰ In the aforesaid Decision, the Court assessed the evidence presented by Victory Hills and ruled that "respondent Victory Hills has failed to show its entitlement to a reconveyance of the land subject of the action."³¹

The Court merely held that Victory Hills failed to prove that it has the right of ownership over the subject property. The Court did not rule whatsoever that petitioners Prescilla, *et al.* were not able to prove their claim of ownership over the subject property. Nor did the Court resolve that respondents Lasquite and Andrade have better rights of ownership over the subject property as compared to petitioners Prescilla, *et al.* The Court did not dwell on the merits of petitioners Prescilla, *et al.*'s claim as such was simply not the issue of the case. **The sole issue resolved by the Court was the validity of Victory Hills' claim of ownership and not petitioners Prescilla, *et al.*'s and nothing more.**

In fact, the CA, Seventh Division, citing *Muñoz v. Atty. Yabut, Jr.*,³² acknowledged that "a writ of execution can be issued only against a party and not against one who did not have his day in court as only real parties in interest in an action are bound by the judgment therein and by writs of execution issued pursuant thereto."³³

However, in the same breath, the CA, Seventh Division believed that such principle does not find application as to petitioners Prescilla, *et al.* because the latter "undeniably were given their day in court."³⁴ Citing *Suson v. Court of Appeals*,³⁵ the CA, Seventh Division reasoned that "a writ of execution may be issued against a person not a party to a case where the latter's remedy, which he did not avail of, was to intervene in the case in question involving rights over the same parcel of land."³⁶

Yet again, the CA, Seventh Division seriously erred.

³⁰ CA *rollo*, p. 82; *supra* note at, 428.

³¹ *Id.* at 89; *id.* at 435.

³² 665 Phil. 488, 510 (2011).

³³ *Rollo*, pp. 31-32.

³⁴ *Id.* at 32.

³⁵ 254 Phil. 66, 71 (1989).

³⁶ *Rollo*, p. 32.

As correctly argued by petitioners Prescilla, *et al.*, *Suson v. Court of Appeals* is completely inapplicable in the instant case. In *Suson v. Court of Appeals*, the writ of execution was deemed to have been effective even as to the person not impleaded because such party ignored the trial court's order to file a complaint in intervention. Simply stated, such party had every chance to intervene, yet negligently failed to do so.

In the instant case, the situation is vastly different. Because petitioners Prescilla, *et al.*'s Motion for Reconsideration was and remains to be, pending as the resolution of which was suspended by the CA, Eighth Division, petitioners Prescilla, *et al.* had no proper opportunity to file any intervention in G.R. No. 175375. Any intervention on the part of petitioners Prescilla, *et al.* in G.R. No. 175375 would have been improper as petitioners Prescilla, *et al.* would have been guilty of *forum-shopping* due to the pendency of their Motion for Reconsideration before the CA, Eighth Division.

On a final note, the Court notes that this complication originated from the CA, Eighth Division's act of suspending the resolution of petitioners Prescilla, *et al.*'s Motion for Reconsideration. There is nothing in the Rules of Court that mandates, or even allows, the appellate courts to suspend the resolution of a party's motion for reconsideration on account of a co-party's appeal before the Court. Otherwise stated, when the trial court or appellate court issues a judgment or final resolution in a case involving several parties, the right of one party to file a motion for reconsideration or appeal is not hinged on the motion for reconsideration or appeal of the other party. Effectively, by failing to resolve their Motion for Reconsideration, petitioners Prescilla, *et al.* were prevented from exercising their right to appeal. Subjecting petitioners Prescilla, *et al.* to a judgment that they had no opportunity to appeal from due to no fault of their own smacks of violation of due process.

The present problem could have been avoided if only the CA, Eighth Division expediently resolved petitioners Precilla, *et al.*'s Motion for Reconsideration, which has already been languishing for decades. This would have allowed petitioners Prescilla, *et al.* to appeal before the Court. Then, the Court could have consolidated the appeals of petitioners Prescilla, *et al.* and respondents Lasquite and Andrade and the question of ownership could have been settled comprehensively and definitively. The Court stresses that the objective of the rules of procedure is to secure the just, speedy and inexpensive disposition of every action and proceeding.³⁷

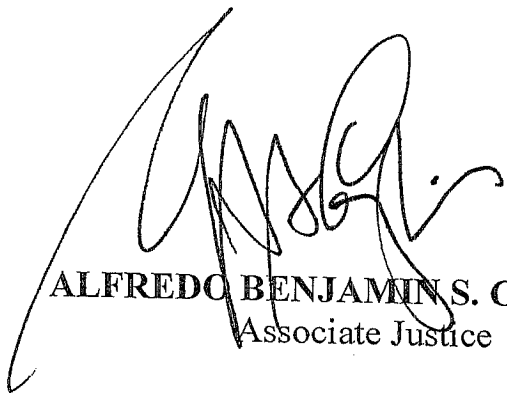
WHEREFORE, the instant petition is **GRANTED**. The assailed Decision and Resolution of the Court of Appeals in CA-G.R. SP No. 122109 are hereby **REVERSED AND SET ASIDE**. The Orders dated April 8, 2011 and September 9, 2011 of the Regional Trial Court are **VACATED**.

³⁷ RULES OF COURT, Rule 1, Sec. 6.




Let a copy of this Decision be furnished to the Court of Appeals, Eighth Division, which is **DIRECTED** to resolve petitioners Prescilla, *et al.*'s Motion for Reconsideration dated November 27, 2006 in CA G.R. CV No. 77599 with utmost dispatch.

SO ORDERED.

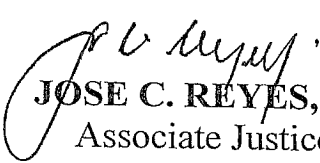


ALFREDO BENJAMIN S. CAGUIOA
Associate Justice

WE CONCUR:



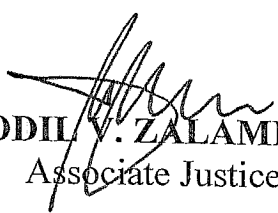
ANTONIO T. CARPIO
Acting Chief Justice
Chairperson



JOSE C. REYES, JR.
Associate Justice



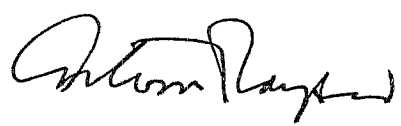
AMY C. LAZARO-JAVIER
Associate Justice



RODIL V. ZALAMEDA
Associate Justice

CERTIFICATION

Pursuant to Section 13, Article VIII of the Constitution, 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.



ANTONIO T. CARPIO
Acting Chief Justice