



Republic of the Philippines
Supreme Court
Manila

SECOND DIVISION

**LAND BANK OF THE
PHILIPPINES,**

Petitioner,

G.R. No. 268116

- versus -

**FEDERICO SUNTAY, as
represented by his assignee,
JOSEFINA LUBRICA AND
MANILA ELECTRIC
COMPANY, INC., (MERALCO),**
Respondents.

Present:

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

Promulgated:

JAN 14 2025

X-----

-----X

DECISION

M. LOPEZ, J.:

In this Petition for Review on *Certiorari*¹ under Rule 45 of the Rules of Court (Rules), the Land Bank of the Philippines (Land Bank) assails the Orders of the Regional Trial Court (RTC) of Manila, Branch 32, in Civil Case

¹ Rollo, pp. 33-71.

2

No. R-MNL-22-06915-SC dated May 9, 2023² and June 26, 2023,³ which dismissed its Complaint⁴ for revival of judgment on the ground of prescription.

Facts

This case is rooted from the Department of Agrarian Reform's (DAR) expropriation of Federico Suntay's (Federico) land. Since the parties failed to agree on the value of the expropriated property, Federico filed a petition for the determination of just compensation before the Regional Agrarian Reform Adjudicator (RARAD) of Region IV, DAR Adjudication Board (DARAB), RARAD Conchita Miñas (RARAD Miñas). RARAD Miñas rendered a decision, fixing the just compensation at PHP 157,541,951.30. Land Bank moved for reconsideration but was denied. Land Bank then filed a petition for judicial determination of just compensation with the RTC of San Jose, Occidental Mindoro as a Special Agrarian Court, impleading Federico and the RARAD.⁵

Upon Federico's motion, the RTC dismissed the petition on the ground that RARAD Miñas' decision was already final and executory since the petition was filed beyond the 15-day reglementary period of appeal. The case reached the Court through G.R. No. 157903,⁶ wherein We ruled that judicial determination of just compensation is an original action, not an appeal subject to the 15-day reglementary period. The Court then ordered the RTC to proceed with the determination of just compensation.⁷

Meanwhile, during the pendency of G.R. No. 157903, RARAD Miñas issued an alias writ of execution upon Federico's *ex-parte* motion. Thus, DARAB sheriffs issued several notices of the writ to Land Bank in September 2005. This prompted Land Bank to ask for a Temporary Restraining Order (TRO) from the Court which was granted in October 2005. However, on the same day that the TRO was issued, public auction of Land Bank shares of stock in the Philippine Long Distance Company and Manila Electric Company (MERALCO) proceeded. In the auction, Josefina Lubrica (Josefina) was declared the lone and highest bidder. Subsequently, upon learning of the TRO the next day, RARAD Miñas recalled the alias writ of execution that she issued and quashed all acts done pursuant to it.⁸

Sometime in October 2008, Federico filed an urgent *ex-parte* manifestation and motion to resume the interrupted execution before RARAD Miñas, citing the Court's pronouncement in *Land Bank of the Philippines v.*

² *Id.* at 75–83. The May 9, 2023 Order in Civil Case No. R-MNL-22-06915-SC was penned by Presiding Judge Thelma Bunyi-Medina of Branch 32, Regional Trial Court, Manila.

³ *Id.* at 99–107. The June 26, 2023 Order in Civil Case No. R-MNL-22-06915-SC was penned by Presiding Judge Thelma Bunyi-Medina of Branch 32, Regional Trial Court, Manila.

⁴ *Id.* at 113–130.

⁵ *Land Bank of the Philippines v. Suntay*, 561 Phil. 711 (2007) [Per J. Sandoval-Gutierrez, First Division].

⁶ *Id.*

⁷ *Id.* at 720–721.

⁸ *Id.*



Martinez.⁹ In that case, the Court clarified that the adjudicator's decision on land valuation attains finality after the lapse of the 15-day reglementary period to assail it before the courts pursuant to the DARAB Rules.¹⁰ RARAD Miñas immediately granted the motion, prompting the execution to proceed again.¹¹

Land Bank then questioned RARAD Miñas's action through a petition for *certiorari* with application for TRO, filed before the Court of Appeals (CA). However, before the CA could act on the application for TRO, MERALCO cancelled Land Bank's 42,002,750 shares of stock and issued new stock certificates in Josefina's name. Thereafter, a TRO was issued.¹²

Meanwhile, the DARAB administratively charged and preventively suspended RARAD Miñas for ordering the transfer of the stocks. A new RARAD, Marivic Casabar (RARAD Casabar), was assigned in the case. She recalled the order to proceed with the transfer of the shares of stock; directed MERALCO to cancel the stock certificates issued to Josefina and to any of her transferees or assignees; and to restore the ownership of the shares to Land Bank and to record such restoration in MERALCO's stock and transfer book.¹³

Because of this development, the CA dismissed Land Bank's petition for *certiorari* for being moot. Unsatisfied with the plain dismissal of its *certiorari* case, Land Bank elevated the matter to the Court in G.R. No. 188376 (2011 Land Bank Case). In its ruling, the Court emphasized that the original and exclusive jurisdiction to determine just compensation pertains to the RTC, not the DARAB. DARAB adjudicators are empowered only to determine in a preliminary manner the reasonable compensation to be paid to the landowners, leaving to the courts the ultimate power to decide this question.¹⁴ The Court also settled that MERALCO should restore Land Bank's unlawfully auctioned shares, thus:

In *Land Bank v. Suntay* (G.R. No. 157903), the Court directed the parties on October 24, 2005 to maintain the *status quo* prior to the issuance of the *alias* writ of execution, holding that all actions done in compliance or in connection with the *alias* writ of execution were "DEEMED QUASHED, and therefore, of no force and effect."

On October 25, 2005, RARAD Miñas herself quashed the acts done pursuant to her writ of execution, declaring that "all actions done in compliance or in connection with the xxx Writ" issued by her "are DEEMED QUASHED, and therefore, of no force and effect."

As a result, the following acts done in compliance with or pursuant to the writ of execution issued *ex parte* by RARAD Miñas on September 14, 2005 were expressly quashed and rendered of no force and effect, to wit:

⁹ 582 Phil 739 (2008) [Per J. Nachura, *En Banc*].

¹⁰ *Id.* at 743.

¹¹ *Land Bank of the Philippines v. Suntay*, 678 Phil. 879 (2011) [Per J. Bersamin, First Division].

¹² *Id.* at 896.

¹³ *Id.* at 899-900.

¹⁴ *Id.* at 900-901.

J

1. The DARAB sheriffs' issuance on September 15, 2005 of (a) the notice of demand against Land Bank; (b) the notice of levy on September 21, 2005 to Land Bank; (c) the notice of levy on September 28, 2005 to Bank of the Philippine Islands and to Hongkong Shanghai Bank Corporation; and (d) an order to deliver on October 5, 2005, addressed to Land Bank, "so much of the funds" in its custody "sufficient to satisfy the final judgment;"
2. The holding by the DARAB sheriffs of the public auction sale on October 24, 2005 involving the levied PLDT and MERALCO shares of stock of Land Bank at the Office of the Regional Clerk of DARAB in Mandaluyong City, wherein [Josefina] was the highest bidder;
3. The resumption on October 25, 2005 by the DARAB sheriffs of the public auction sale of some of Land Bank's remaining PLDT shares and First Gen Corp. bonds, wherein [Josefina] was also declared the highest bidder; and
4. The issuance on October 25, 2005 by the DARAB sheriffs of two certificates of sale in favor of [Josefina] as the highest bidder.

In view of the foregoing, the order issued on October 30, 2008 by RARAD Miñas directing the DARAB sheriffs to "resume the interrupted executions of the Alias Writ issued xxx on September 14, 2005" was not legally effective and valid because there was no longer any existing valid prior acts or proceedings to resume enforcement or execution of.

Consequently, the following acts done by virtue of RARAD Miñas' October 30, 2008 order to resume the implementation of the September 15, 2005 writ of execution were bereft of factual and legal bases, to wit:

1. The DARAB sheriffs' service on PDTC and STSI of a demand to comply dated October 30, 2008;
2. Letter of PDTC dated October 31, 2008 informing Land Bank of the demand to comply and the action it had taken, and requesting Land Bank to "uplift" the securities;
3. PDTC's manifestation and compliance dated October 31, 2008 filed in the office of the RARAD, Region IV, stating, among others, that PDTC had already "issued a written notice" to Land Bank "to uplift the assets involved" and that PDTC "has caused the subject assets to be outside the disposition" of Land Bank; and
4. MERALCO's cancellation on November 28, 2008 of Land Bank's 42,002,750 shares, its issuance of new stock certificates in the name of [Josefina], and its subsequent recording of the transfer of ownership of the stocks in the company's stock and transfer book.

....



A further cause that invalidated the execution effected against Land Bank's MERALCO shares derived from the statutory and reglementary provisions governing the payment of any award for just compensation. **At the outset, we hold that Land Bank's liability under the CARP was to be satisfied only from the [Agrarian Reform Fund or the] ARF.**

....

[Laws] decreed that the money to be paid to the landowner as just compensation for the taking of his land is to be taken only from the ARF. As such, the liability is not the personal liability of Land Bank, but its liability only as the administrator of the ARF. ...

....

Consequently, the immediate and indiscriminate levy by the DARAB sheriffs of Land Bank's MERALCO shares, without first determining whether or not such assets formed part of the ARF, disregarded Land Bank's proprietary rights in its own funds and properties.

....

In light of the clarifications by Land Bank, the Court concludes that the procedure of execution adopted by the DARAB sheriffs thoroughly disregarded the existence of Land Bank's proprietary account separate and distinct from the ARF. The procedure thereby contravened the various pertinent laws and rules earlier adverted to and which the DARAB sheriffs were presumed to be much aware of, denying to the DARAB sheriffs any presumption in the regularity of their performance of their duties.

....

WHEREFORE, we GRANT the petition for review on *certiorari*, and REVERSE the Decision promulgated June 5, 2009 in CA-G.R. SP No. 106104.

ACCORDINGLY, the Court:

- (a) **DIRECTS** the Regional Trial Court, Branch 46, in San Jose, Occidental Mindoro to continue the proceedings for the determination of the just compensation of Federico Suntay's expropriated property in Agrarian Case No. R-1241;
- (b) **QUASHES** and **NULLIFIES** the orders issued in DARAB Case No. V-0405-0001-00 on September 14, 2005 (granting Suntay's ex parte motion for the issuance of an alias writ of execution) and October 30, 2008 by RARAD Conchita C. Miñas (directing the DARAB sheriffs "to resume the interrupted execution of the Alias Writ in this case on September 14, 2005"), and all acts performed pursuant thereto;
- (c) **AFFIRMS** and **REITERATES** the order issued on October 25, 2005 by RARAD Miñas (deeming to be quashed and of no force and effect "all actions done in compliance or in connection with" the writ of execution issued by her), and the order issued on December 17, 2008 by

J

RARAD Marivic Casabar (**directing MERALCO to cancel the stock certificates issued to Josefina Lubrica and to any of her transferees or assignees, and to restore the ownership of the shares to Land Bank and to record the restoration in MERALCO's stock and transfer book; and the Philippine Stock Exchange, Philippine Depository and Trust Corporation, Securities Transfer Services, Inc., and the Philippine Dealing System Holdings Corporation and Subsidiaries (PDS Group), and any stockbroker, dealer, or agent of MERALCO shares to stop trading or dealing on the shares);**

- (d) **DECLARES** Land Bank fully entitled to all the dividends accruing to its levied MERALCO shares of stocks as if no levy on execution and auction were made involving such shares of stocks;
- (e) **COMMANDS** the Integrated Bar of the Philippines to investigate the actuations of Atty. Conchita C. Miñas in DARAB Case No. V-0405-0001-00, and to determine if she was administratively liable as a member of the Philippine Bar; and
- (f) **ORDERS** the Department of Agrarian Reform Adjudication Board to conduct a thorough investigation of the sheriffs who participated in the irregularities noted in this Decision, and to proceed against them if warranted.

Costs against the respondent.

SO ORDERED.¹⁵ (Citations omitted, emphasis supplied)

The Decision attained finality on September 11, 2012.¹⁶ A writ of execution was issued in 2013 upon Land Bank's motion.¹⁷ In compliance with the writ, MERALCO delivered to Land Bank a total of 38,635,950 MERALCO shares of stock including cash and property dividends accruing to those shares. However, up to present, MERALCO is unable to restore to Land Bank the remaining 3,366,800 MERALCO shares of stock because they were already traded and transferred to new owners following the public auction.¹⁸

Thus, on September 8, 2022, Land Bank filed a Complaint¹⁹ for the revival of the partially executed 2011 Land Bank Case judgment before the RTC of Manila. Land Bank included MERALCO as a defendant.²⁰

MERALCO filed its Answer with Motion to Dismiss and Compulsory Counterclaim(s)²¹ raising, as affirmative defense, that it cannot be made a party to the present case for revival of judgment as it was not a party in the 2011 Land Bank Case.²² MERALCO also pointed out Land Bank's failure to

¹⁵ *Id.* at 894-929.

¹⁶ *Rollo*, pp. 108-110.

¹⁷ *Id.* at 42.

¹⁸ *Id.*

¹⁹ *Id.* at 113-130.

²⁰ *Id.* at 125.

²¹ *Id.* at 131-177.

²² *Id.* at 154

8

implead the current stockholders of the remaining unrestored shares of stock, who are indispensable parties in this case.²³

Ruling on MERALCO's motion, the RTC directed Land Bank to implead the current stockholders of the subject shares in an Order dated January 23, 2023.²⁴

To comply with the directive, Land Bank filed an omnibus motion²⁵ asking the RTC to direct MERALCO to produce specific documents, and permit Land Bank to inspect, copy, and photograph them to be able to identify the shareholders that it was directed to implead. However, MERALCO filed an Opposition with Motion to Dismiss²⁶ where it claimed that Land Bank did not show good cause to warrant the grant of the reliefs prayed for. Moreover, MERALCO argued that impleading the shareholders of the subject shares at that point would entail the filing of an amended complaint, which can no longer be allowed because it will already be beyond the 10-year prescriptive period for enforcing a judgment through an action.

In its assailed Order,²⁷ the RTC granted MERALCO's motion, dismissing Land Bank's complaint for revival of judgment. The RTC ruled that Land Bank acquiesced to MERALCO's position that the current stockholders are indispensable parties because it did not seek reconsideration of the order to implead them. Consequently, the RTC concluded that Land Bank's cause of action has already prescribed since Land Bank had no more time left to amend its complaint to include indispensable parties.²⁸

Aggrieved, Land Bank sought reconsideration²⁹ but was denied in an Order³⁰ dated June 26, 2023. Hence, the present Petition.

Land Bank argues that prescription does not lie against the State. This is especially so because the levy of its MERALCO shares was void and ineffectual as held with finality in the 2011 Land Bank Case. Land Bank posits that, in any case, the extrajudicial demand it made upon MERALCO to comply with its judgment obligation interrupted the prescriptive period. As to the inclusion of the transferees in this revival suit, Land Bank contends that its failure to move for reconsideration of the RTC's directive to implead the third-party stockholders should not be interpreted as acquiescence to MERALCO's position that those transferees are indispensable parties. At any rate, Land Bank postulates that the RTC should have allowed it to resort to other modes of service of summons to the transferees instead of dismissing the case altogether.

²³ *Id.* at 131–177.

²⁴ *Id.* at 210–223.

²⁵ *Id.* at 224–233.

²⁶ *Id.* at 243–262.

²⁷ *Id.* at 75–83.

²⁸ Judgment sought to be revived attained finality on September 11, 2012, and Complaint for revival of judgment was filed on September 8, 2022.

²⁹ *Rollo*, pp. 84–98.

³⁰ *Id.* at 99–107.

J.

In its Comment,³¹ MERALCO contends that Land Bank violated the doctrine of hierarchy of courts when it resorted to this direct recourse from the RTC Orders. On prescription, MERALCO asserts that the 10-year prescriptive period applies to Land Bank, despite it being a government-owned and controlled corporation, it acquired the subject shares in the exercise of its proprietary function. In addition, MERALCO maintains that the transferees are indispensable parties because this revival of judgment case is a new and independent action, different from the 2011 Land Bank Case. Finally, MERALCO argues that Land Bank cannot blame the RTC for not allowing it to resort to other modes of service of summons as its cause of action has already prescribed, and the indispensable parties have not yet been impleaded.

Issues

- I. Is the Petition dismissible for being directly filed to this Court?
- II. Were the transferees of Land Bank's MERALCO shares of stock indispensable parties in this case?
- III. Is Land Bank's complaint for revival of judgment dismissible on the ground of prescription?

Ruling

The Petition raises pure questions of law; hence, it may be filed directly to this Court via Rule 45

Consistent with the principle of hierarchy of courts, "[RTC] decisions are generally appealable to the Court of Appeals, either through an ordinary appeal under Rule 41 of the Rules or a petition for review under Rule 42."³² However, this principle is not absolute — "[p]arties may resort directly to this Court when there are compelling reasons clearly set forth in the petition, or when what is raised is a *pure question of law*."³³ (emphasis supplied)

There is a question of law when doubts or differences arise as to what law pertains to a certain state of facts, and a question of fact when the doubt pertains to the truth or falsity of alleged facts.³⁴ 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. The resolution of the issue must rest solely on what the law provides on the given set of circumstances.³⁵

³¹ *Id.* at 352–399.

³² *Bases Conversion and Development Authority v. City Government of Baguio City*, G.R. No. 192694, February 23, 2023 [Per J. Leonen, Second Division].

³³ *Id.* citing *Aala v. Uy*, 803 Phil. 36, 57 (2017) [Per J. Leonen, *En Banc*].

³⁴ *Agbayani, Jr. v. Director or Whoever is in Charge of the Manila City Jail*, G.R. No. 268876, August 7, 2024 [Per J. Kho, Second Division].

³⁵ *Republic v. Caraig*, 887 Phil. 827, 838 (2020) [Per J. Hernando, Second Division].

8

In this case, the determination of whether prescription has already set in obviously does not require the Court to look into evidentiary matters. It only requires inquiry into the established set of facts. Similarly, to ascertain if the transferees of the shares are indispensable parties in this case simply calls for the application of the rules on joinder or non-joinder of parties. Therefore, Land Bank did not err in filing the Petition directly to the Court.

The transferees of the shares are not indispensable parties

The present case involves an action for revival of judgment under Section 6, Rule 39 of the Rules:

Section 6. Execution by motion or by independent action. – A final and executory judgment or order may be executed on motion within five (5) years from the date of its entry. **After the lapse of such time, and before it is barred by the statute of limitations, a judgment may be enforced by action.** The revived judgment may also be enforced by motion within five (5) years from the date of its entry and thereafter by action before it is barred by the statute of limitations. (Emphasis supplied)

The provision is clear. Once a judgment becomes final and executory, the prevailing party can have it executed as a matter of right by mere motion within five years from the date of entry of judgment. If the prevailing party fails to enforce the decision by a motion after the lapse of five years, the judgment is reduced to a right of action that must be filed before a regular court within 10 years³⁶ from the time the judgment becomes final.

A revival suit is a new action, separate and distinct from the original judgment sought to be revived. Its cause of action is the decision itself — not the merits of the action upon which the judgment sought to be enforced is rendered. It is premised on the assumption that the decision sought to be revived is already final and executory and has not yet prescribed.³⁷ Its exclusive purpose is to enforce a judgment which could no longer be executed by mere motion under the Rules. In the 1965 case of *Philippine National Bank v. Bondoc*,³⁸ the Court *En Banc* expounded on the sole purpose of a revival case, viz.:

A judgment rendered on a complaint for the revival of a previous judgment is a new judgment and the rights of the plaintiff rest on the new

³⁶ CIVIL CODE, art. 1144 provides:

The following actions must be brought within ten years from the time the right of action accrues:

....

(3) Upon a judgment.

See also CIVIL CODE, art. 1152 which provides that:

The period of prescription of actions to demand the fulfillment of obligation declared by a judgment commences from the time the judgment became final.

³⁷ *Anama v. Citibank N.A. (formerly First National City Bank)*, 822 Phil. 630, 639 (2017) [Per J. Jardeleza, First Division].

³⁸ 122 Phil. 100 (1965) [Per J. Bengzon, *En Banc*].

8

judgment not on the previous one. **Precisely, the purpose of the revival of a judgment is to give a creditor a new right of enforcement from the date of revival.** The rule seeks to protect judgment creditors from wily and unscrupulous debtors who, in order to evade attachment or execution, cunningly conceal their assets and wait until the statute of limitations sets in.

....

The source of Section 6 aforecited is Section 447 of the Code of Civil Procedure which in turn was derived from the Code of Civil Procedure of California. The rule followed in California in this regard is that a proceeding by separate ordinary action to revive a judgment is a new action rather than a continuation of the old, and **results in a new judgment constituting a new cause of action, upon which a new period of limitations begins to run.**³⁹ (Citations omitted, emphasis supplied)

Furthermore, enforceability of the judgment sought to be revived is immaterial in a revival suit. In *Enriquez v. Court of Appeals*,⁴⁰ the Court emphatically ruled that the judgment creditor need not prove the enforceability of the judgment in an action for revival of judgment:

Sec. 6[,] Rule 39 of the Rules of Court states that an action to revive judgment only requires proof of a final judgment which has not prescribed and has remained unexecuted after the lapse of five (5) years but not more than ten (10) years from its finality. **Nowhere does the rule require proof that the judgment is still enforceable by and against the original parties[.]**⁴¹ (Citation omitted and emphasis supplied)

In other words, an action for revival of judgment is simply an avenue to exercise the legal right to enforce a favorable judgment. As such, plaintiff merely needs to prove that the judgment sought to be revived or enforced: (1) already attained finality; (2) is not yet fully executed; and (3) is not yet barred by the statute of limitations.⁴²

Considering the nature and purpose of a revival suit, matters relating to interest of parties other than those in the original action are irrelevant and immaterial in this forum. While the enforcement may be subject to some defenses and counterclaims which may have arose after the judgment became final and executory, the action for revival of judgment is not the proper forum to address such matters.

Verily, we have explained in *National Transmission Corp. v. Untiveros*,⁴³ citing *Heirs of Dela Corta, Sr. v. Alag-Pitogo*⁴⁴ that “[i]ndispensable parties are parties whose legal presence in the proceeding is so necessary that the action cannot be finally determined without them

³⁹ *Id.* at 102--103.

⁴⁰ 423 Phil. 630 (2001) [Per J. Quisimbing, Second Division].

⁴¹ *Id.* at 636.

⁴² *See id.*

⁴³ G.R. No. 266880, May 15, 2024 [Per J. J. Lopez, Second Division].

⁴⁴ 871 Phil. 356 (2020) [Per J. Inting, Second Division].

because their interests in the matter and in the relief are so bound up with that of the other parties.”⁴⁵

Here, the propriety of reviving the judgment in the 2011 Land Bank Case can be determined with finality without the participation of the current shareholders and MERALCO because only the fact of finality, non-execution, and non-prescription need to be ascertained. To stress, the cause of action in the present case is the final and executory judgment in the 2011 Land Bank Case — **not whether MERALCO and/or the current shareholders should return the auctioned shares to Land Bank.** To iterate, in the 2011 Land Bank Case, the Court already settled with finality that MERALCO should restore Land Bank’s illegally auctioned shares of stock and this need not be revisited in the present action for revival.

Indubitably, We find that the new owners of Land Bank’s MERALCO shares are not indispensable parties in this case. Whatever interest they may have in the subject matter of this revival case is irrelevant and immaterial in this forum. The RTC committed reversible error in requiring Land Bank to implead the current shareholders.

The court a quo erred in dismissing the case on the ground of prescription.

Rule 39, Section 6, of the Rules, read in conjunction with Articles 1144(3)⁴⁶ and 1152⁴⁷ of the Civil Code, provides that a final and executory judgment may be enforced by instituting a complaint in a regular court within 10 years from the time the judgment becomes final.

Records show that the judgment sought to be revived became final on September 11, 2012. Land Bank filed its Complaint for revival of judgment on September 8, 2022—still within the 10-year prescriptive period. Being so, and considering that there was no need to implead the current shareholders as discussed above, the RTC should have proceeded with the case. It was a patent error to dismiss the case on the ground of prescription.

All told, it is beyond cavil that the judgment in the 2011 Land Bank Case is final and executory; not yet fully satisfied; and not barred by prescription. Thus, its revival is warranted.

ACCORDINGLY, the Petition for Review on *Certiorari* is **GRANTED**. The Orders of the Regional Trial Court of Manila, Branch 32, dated May 9, 2023 and June 26, 2023 are **REVERSED**. The Decision of this

⁴⁵ *Id.* at 368-369.

⁴⁶ CIVIL CODE, art. 1144 provides:


The following actions must be brought within ten years from the time the right of action accrues:

....

(3) Upon a judgment.

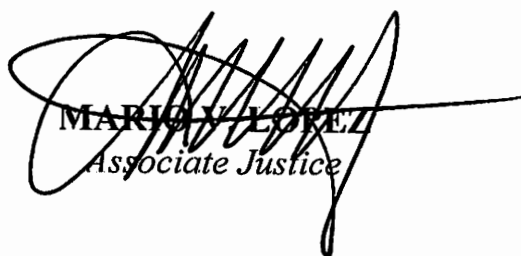
⁴⁷ CIVIL CODE, art. 1152 provides:

The period for prescription of actions to demand the fulfillment of obligation declared by a judgment commences from the time the judgment became final.



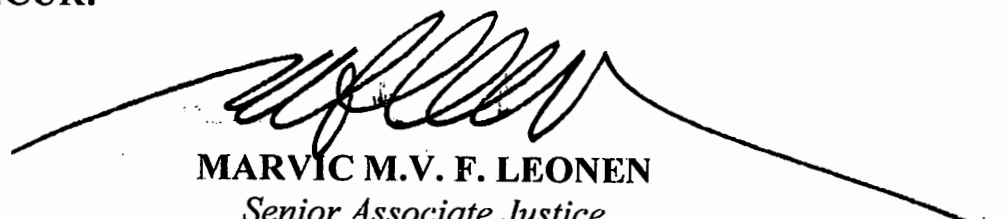
Court in G.R. No. 188376, *Land Bank of the Philippines v. Federico Suntay, as represented by his assignee, Josefina Lubrica*, is **REVIVED**.

SO ORDERED.



MARIO V. LOPEZ
Associate Justice

WE CONCUR:



MARVIC M.V. F. LEONEN
Senior Associate Justice
Chairperson



AMY C. LAZARO-JAVIER
Associate Justice



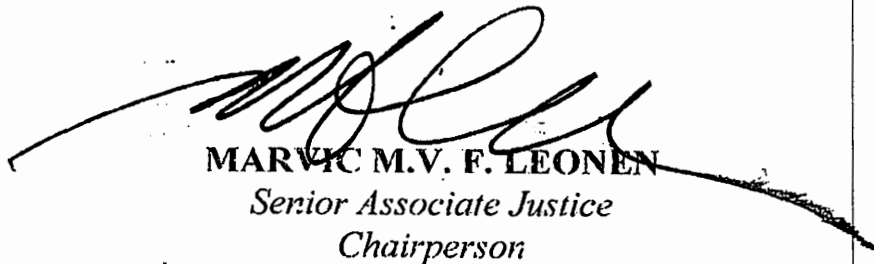
JHOSEP V. LOPEZ
Associate Justice



ANTONIO T. KHO, JR.
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

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