Republic of the Philippines
Supreme Court
Manila

THIRD DIVISION

BGS REALTY, INC., REPRESENTED BY ITS ATTORNEY-IN-FACT MIGUEL ANGELO SARTE SILVERIO, Petitioner,	**G.R. No. 237638**
	Present:
	CAGUIOA, *J.*, *Chairperson*, INTING, GAERLAN, DIMAAMPAO, and SINGH, *JJ.*
- versus -	
	Promulgated:
DEMETRIO AYDALLA AND HEIRS OF JOSE AYDALLA, Respondents.	May 20, 2024

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DECISION

INTING, *J*.:

Before the Court is a Petition for Review on *Certiorari* (Under Rule 45)[1] which seeks the reversal of the Decision[2] dated June 15, 2017, of the Court of Appeals (CA) in CA-G.R. SP No. 137366 denying the petition for review filed by BGS Realty, Inc. (petitioner), represented by its attorney-in-fact Miguel Angelo Sarte Silverio. Likewise assailed in the petition is the CA's Resolution[3] dated January 29, 2018, denying petitioner's motion for reconsideration.

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[1] *Rollo*, pp. 12–32.

[2] *Id.* at 37–44. Penned by Associate Justice Marie Christine Azcarraga-Jacob and concurred in by Associate Justices Apolinario D. Bruselas, Jr. and Danton Q. Bueser of the Thirteenth Division, Court of Appeals, Manila.

[3] *Id.* at 51–53.

The Antecedents

The case involved agricultural lots designated as Lot Nos. 4064-A and 4064-B (collectively, subject lots) with areas of about 2.2040 and 0.3002 hectares, respectively, located at Kilikao, Daraga, Albay, which were subjected to the coverage of the Operation Land Transfer (OLT) Program.[4]

Records reveal that in 1972, petitioner acquired the subject lots, together with other lots having an aggregate area of 63 hectares, from Porfirio Vda. De Los Baños, Inc.[5]

Sometime in 1973, petitioner applied for the conversion of the subject lots into non-agricultural use, and thus, identified the tenants who would be given disturbance compensation and home lots in lieu of displacement or ejectment. Eight tenants, among whom were Demetrio Aydalla (Demetrio) and Jose Aydalla (Jose) (collectively, respondents), filed a case for specific performance before the Department of Agrarian Reform Adjudicatory Board (DARAB) for determination of disturbance compensation. The case was resolved in 1984 in their favor. Consequently, Certificate of Land Transfer (CLT) Nos. 0-5798 and 0-0526697 and Emancipation Patent (EP) Nos. 148144 and 018918 were issued in favor of Demetrio and Jose, respectively.[6]

The details of the EPs are as follows:

	Lot No.	EP No.	Status
1. Demetrio	4064-A	A-148144	--
2. Jose	4064-B	A-018918	Registered on February 4, 1989.[7]

On February 18, 1998, petitioner filed a Petition[8] for declaration of nullity of CLT Nos. 0-5798 and 0-0526697 and EP Nos. 148144 and 018918 (nullity case) with the Department of Agrarian Reform (DAR) – Agrarian Reform Regional Office for Region V (DARRO-V) against respondents.

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4 *Id.* at 38.
5 *Id.*
6 *Id.*
7 *Id.* at 70.
8 *Id.* at 60.

On October 15, 1998, petitioner filed an amended petition[9] against Demetrio and the heirs of Jose and sought the following reliefs:

> WHEREFORE, premises considered, it is respectfully prayed that after due investigation and hearing, decision be made:
>
> a. Declaring as nullity OLT Nos. 0-05798 and 0-0526697 issued to respondents Demetrio Aydalla and Jose Aydalla;
>
> b. To cancel emancipation patents Nos. 148144 and 018918, for Demetrio Aydalla and Jose Aydalla, respectively, generated by the Provincial Agrarian Reform Office of the DAR, Province of Albay, and to declare the same as without force and effect;
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> c. Declaring the status of respondents as recognized tenants-beneficiaries of the DAR to be null and void and without force and effect;
>
> d. That a declaration of non-tenancy relationship between Respondents and Petitioner be issued.
>
> Likewise, petitioner prays for such other relief as may be just and equitable under the premises.[10] (Emphasis omitted)

Thereafter, Demetrio filed a Motion to Dismiss[11] dated November 5, 1998, on the grounds of prescription, DARRO-V's lack of jurisdiction, and *res judicata*.

According to Demetrio, the issues raised in the petition had already been settled in CAR Case No. 782[12] between Luis Los Baños, the previous owner, and Ceferino Aydalla, their father. Considering that the petition was filed one year after the EPs were issued and registered in their name, Demetrio argued that the case no longer concerned the implementation of agrarian reform matters, and thus, it fell within the exclusive jurisdiction of the DARAB.[13]

On December 4, 1998, petitioner filed an Opposition to Motion to Dismiss[14] and countered that the rule on prescription is not applicable in the case because the proceedings in the granting of CLTs were attended by fraud and deceit. Specifically, it pointed out that CAR Case No. 782 pertained to an 8-hectare parcel of land, which is bigger than the land areas

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9 *Id.* at 61–67.
10 *Id.* at 66.
11 *Id.* at 68–69.
12 *See id.* at 71.
13 *Id.* at 69.
14 *Id.* at 72–73.

of Lot Nos. 4064-A and 4064-B; thus, it had no bearing on the nullity of the CLTs in question. Petitioner maintained that in any case, it was not a party to CAR Case No. 782; as such, it was not bound by the Order therein.[15]

On August 5, 1999, petitioner filed its Supplemental Evidence[16] together with a copy of the survey plan BSD 05-000482 in the name of respondents, a Certification issued by the Register of Deeds of Albay, Transfer Certificate of Title (TCT) No. T-33015[17] covering Lot No. 4064 issued in the name of Porfiria Vda. De Los Baños, Inc., and TCT No. 33278[18] issued in petitioner's name.

The Ruling of the DARRO-V

Without resolving the issues raised by Demetrio in the Motion to Dismiss, DAR Regional Director Dominador B. Andres (Regional Director Andres), in the Order[19] dated May 9, 2000, gave due course to the petition and held that the subject landholding was no longer within the sphere of the OLT Program:

> Truth of which may be vague, as there [were] no clear documents showing said findings, but the hard facts established remain that the subject landholding was no longer within the sphere of Operation Land Transfer in lieu of the conversion of the land to an industrial site (Isarog Pulp and Paper Co., mill site), residential or socialized housing subdivision.
>
> WHEREFORE, premises considered, Order is hereby issued GIVING DUE COURSE to the petition for the declaration of nullity of CLTs issued to tenants covering lot 4064-A and lot 4064-B.
>
> SO ORDERED.[20]

Unsatisfied, respondents filed a Motion to Set Aside or Reconsider Order dated 9 May 2000, and Motion to Resolve Motion to Dismiss.[21] Regional Director Andres denied the motions in the Order dated July 28, 2000.[22]

Interestingly, in the Order dated July 28, 2000, Regional Director

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15 *Id.*
16 *Id.* at 74–75.
17 *Id.* at 77–77-A
18 *Id.* at 79–79-A
19 *Id.* at 80–83.
20 *Id.* at 82–83.
21 *Id.* at 84–86.
22 *Id.* at 87–91.

Andres stated that the CLTs issued to respondents were already nullified in the Order dated May 9, 2000, and ruled that Demetrio's Motion to Dismiss was rendered moot,[23] *viz.*:

> . . . [A]s to the Motion to Dismiss that was not resolved, this forum sees the plausibility of petitioner's contention that it was rendered moot and academic by the issuance of Order dated 9 May 2000. The truth of which, this forum has considered each and every issues raised therein (p. 1 of May 9, 2000 Order) and in nullifying the CLTs issued to tenants, the Motion to Dismiss was in effect denied.[24]

The dispositive portion of the Order dated July 28, 2000, reads:

> WHEREFORE, premises considered Order is hereby issued:
>
> 1. DENYING this Motion for Reconsideration and AFFIRMING *in toto* the Order dated May 9, 2000;
>
> 2. DECLARING the Motion to Dismiss filed in reply to the basis petition as MOOT and ACADEMIC;
>
> 3. DECLARING this case closed in so far as this level is concerned.
>
> SO ORDERED.[25]

On August 28, 2000, or five days from their receipt of the above Order on August 23, 2000, respondents filed their Answer to the amended petition. Their Answer, however, was merely noted without any action by Regional Director Andres in the Order dated November 27, 2000,[26] *viz.*:

> The certification dated 29 September 2000, issued by the DAR Region V Records Officer, shows that [the] parties to this case received their copy of the July 28, 2000 Order issued on August 23, 2000 as evidenced by the Registry Return Cards. The certification also states that no motion for reconsideration or appeal has been filed to interrupt the running of the reglementary period of fifteen days (15) from receipt of the Order.
>
> WHEREFORE, in the light of the foregoing, and by operation of law, the Order dated July 28, 2000 may now be executed and implemented. The Provincial Agrarian Reform Officer of DAR Provincial Office Albay is hereby directed to cause the immediate implementation of the aforementioned Order issued by the Regional Director. The Answer dated December 29, 1999, which the respondents filed on August 28, 2000 is noted without taking any action as this level is not informed of its purpose.

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23 *Id.* at 90.
24 *Id.* at 90.
25 *Id.* at 91.
26 *Id.* at 92–93.

SO ORDERED.[27]

Aggrieved, respondents filed a joint motion dated December 21, 2000, for reconsideration of the Order dated November 27, 2000, and to set the case for hearing[28] wherein they argued that: (a) there is nothing to execute because there is no order of cancellation of their CLTs; and (b) respondents were not given the opportunity to present evidence, and thus, their right to due process in the administrative proceedings was violated.[29] However, Regional Director Andres denied the joint motion in the Order[30] dated April 4, 2001, for lack of basis in fact and in law.

Hence, respondents filed an Appeal[31] dated May 24, 2001, with the DAR Secretary.

Meanwhile, on June 29, 2001, petitioner filed a Motion for Issuance of Writ of Execution[32] which Regional Director Andres subsequently granted in the Order[33] dated August 17, 2001.

The Ruling of the DAR Secretary

In the Order dated June 16, 2005,[34] the DAR Secretary ruled in favor of respondents and set aside the orders issued by Regional Director Andres. The dispositive portion reads:

> WHEREFORE, premises considered, the Orders dated 9 May 2000, 28 July 2000 and 4 April 2001 all issued by Regional Director Dominador Andres, DAR Region V, are hereby SET ASIDE. The legitimate status of respondents-appellants as EP holders must be and should be maintained and respected.
>
> SO ORDERED.[35]

The DAR Secretary held that as EP holders, respondents' titles are no longer susceptible to attack especially on petitioner's mere allegation that does not even fall on any of the grounds for cancellation of registered EPs as provided under DAR Administrative Order No.

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27 *Id.* at 92.
28 *Id.* at 94–96.
29 *Id.* at 94.
30 *Id.* at 97–98.
31 *Id.* at 99–105.
32 *Id.* at 106–107.
33 *Id.* at 108–110.
34 *Id.* at 115–118. Issued by DAR Secretary Rene C. Villa.
35 *Id.* at 118.

2,[36] series of 1994. More, the DAR Secretary noted that petitioner failed to adduce documentary proof that the subject lots were converted into an industrial and subdivision site.[37]

Thus, petitioner was constrained to appeal its case to the Office of the President (OP).

The Ruling of the OP

In the Decision[38] dated December 17, 2013, the OP denied petitioner's appeal and affirmed the DAR Secretary's Order *in toto*.

The OP denied petitioner's contention that respondents' appeal before the DAR Secretary was not timely filed given that neither party mentioned the date when they received the Order dated April 4, 2001. The OP likewise found that the challenged DAR Secretary issuances were supported by substantial evidence on record, and it was in fact petitioner who failed to substantiate its claim.[39]

The CA Ruling

On June 15, 2017, the CA issued a Decision[40] affirming both the DAR Secretary and the OP, the dispositive portion of which reads:

> WHEREFORE, finding the instant petition for review to be wanting in merit, it is hereby DENIED.
>
> Accordingly, the *Decision dated 17 December 2013* and *Resolution dated 06 August 2014* rendered by the Office of the President in O.P. Case No. 09-B-039 are hereby AFFIRMED *in toto*.
>
> SO ORDERED.[41] (Italics in the original)

The CA ruled that the timeliness of respondents' appeal before the DAR Secretary is a factual issue and that it behooves upon petitioner to adduce evidence sufficient to establish that respondents' appeal was indeed belatedly filed.[42]

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36 "Rules Governing the Correction and Cancellation of Registered/Unregistered Emancipation Patents (EPs), and Certificates of Land Ownership Award (CLOAs) Due to Unlawful Acts and Omissions or Breach of Obligations of Agrarian Reform Beneficiaries (ARBs) and For Other Causes," approved on March 7, 1994.

37 *Rollo*, p. 117.

38 *Id.* at 148–151. Issued by Executive Secretary Paquito N. Ochoa, Jr.

39 *Id.* at 150.

40 *Id.* at 37–44.

41 *Id.* at 43.

42 *Id.* at 41–42.

As to petitioner's contention that proceedings for land use conversion concerning the 63-hectare parcel of land transpired before the DAR, the CA found that this allegation was not substantiated. Meanwhile, the CA held that the findings of fact of the administrative agencies *a quo* on the status of the subject lots and eligibility of respondents to OLT Program carry the presumption of regularity.[43]

Hence, the present petition.

Petitioner's Arguments

Petitioner maintains that the Orders dated May 9, 2000, and July 28, 2000, both issued by Regional Director Andres, have attained finality by reason of respondents' failure to perfect an appeal within the 15-day period under DAR Administrative Order No. 09,[44] series of 1994.[45] It further contends that the DAR Secretary failed to consider that respondents are not tenant-farmers of the subject lots and ignored the proof showing that the subject lots were erroneously covered under the OLT Program.[46]

The Issues

Petitioner raises the following issues for the resolution of the Court: (1) whether the Orders dated May 9, 2000, and July 28, 2000, issued by Regional Director Andres have attained finality; and (2) whether the CA erred in affirming the factual findings of the administrative agencies *a quo*.

The Ruling of the Court

The petition is bereft of merit.

The Order dated May 9, 2000, is merely an interlocutory order

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43 *Id.* at 42–43.

44 "Authorizing All Regional Directors (RDs) to Hear and Decide All Protests Involving Coverage Under R.A. No. 6657 or P.D. No. 27 and Defining the Appeal Process From the RDs to the Secretary," approved on August 30, 1994.

45 *Rollo*, p. 19.

46 *Id.* at 28.

that could not have fully disposed of the nullity case

A reading of the *fallo* of the Order dated May 9, 2000, reveals that Regional Director Andres merely *gave due course* to the petition for declaration of nullity of CLTs, *viz.*:

> WHEREFORE, premises considered, Order is hereby issued **GIVING DUE COURSE** to the petition for the declaration of nullity of CLTs issued to tenants covering lot 4064-A and lot 4064-B.
>
> SO ORDERED.[47] (Emphasis supplied)

To stress, the above *fallo* only states that the Order was issued "giving due course" to the petition, *not* that it was granting the petition or nullifying the CLTs and EPs in question.

It is settled that an interlocutory order deals with preliminary matters, i.e., the Motion to Dismiss and the Opposition to Motion to Dismiss. In other words, *it is not a judgment on the merits*. The Order dated May 9, 2000, *being interlocutory*, *cannot* attain finality because, by its very nature, it may be *modified* or *rescinded* upon sufficient grounds at any time before final judgment;[48] likewise, it is *not* subject to execution. Consequently, the Order dated July 28, 2000, which affirmed *in toto* the Order dated May 9, 2000, is likewise only an interlocutory order and thus not subject to appeal.[49]

Although Regional Director Andres stated that the subject lots are no longer within the sphere of the OLT Program, it is also worth noting that nowhere in the body of the Order dated May 9, 2000, did Regional Director Andres declare that respondents' CLTs and EPs are null and void.

It is settled that where there is conflict between the *fallo* and the body of a decision, it is the *fallo* that controls regardless of what appears

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47 *Id.* at 83.

48 *Heirs of Timbang Daromimbang Dimaampao v. Atty. Alug*, 754 Phil. 236, 245 (2015).

49 *See* Rule VIII, Section 3 of the 1994 DARAB New Rules of Procedure.
SECTION 3. *Totality of Case Assigned.* When a case is assigned to an Adjudicator, any or all incidents thereto shall be considered assigned to him, and the same shall be disposed of in the same proceedings to avoid multiplicity of suits or proceedings.
The order or resolution of the Adjudicator on any issue, question, matter or incident raised before them shall be valid and effective until the hearing shall have been terminated and the case is decided on the merits, unless modified and reversed by the Board upon a verified petition for certiorari which cannot be entertained without filing a motion for reconsideration with the Adjudicator a quo within five (5) days from receipt of the order, subject of the petition. Such interlocutory order shall not be the subject of an appeal.

in the body of the decision as it is the *fallo* that "invests rights upon the parties, sets conditions for the exercise of those rights, and imposes corresponding duties or obligation."[50]

To the Court's mind, it is immaterial whether Regional Director Andres intended to nullify respondents' CLTs and EPs when he issued the Order dated May 9, 2000, for it is the *fallo*, not the body of the decision, that is the subject of an order of execution. Hence, respondents aptly pointed out that there is nothing to execute on the Order dated May 9, 2000, because it contains no order of cancellation of the CLTs and EPs.[51]

Assuming *arguendo* that the Order dated May 9, 2000, is a judgment on the merits, the petition still fails.

There are four exceptions to the doctrine of immutability of judgment: (1) the correction of clerical errors; 2) *nunc pro tunc* entries which causes no prejudice to any party; (3) *void judgments*; and (4) supervening events.[52]

Here, the Order dated May 9, 2000, even if deemed as a judgment on the merits, would be considered *void* for having been issued in flagrant violation of respondents' constitutional right to due process.

To be sure, a fair and reasonable opportunity to explain one's side is sufficient to meet the requirements of due process in administrative proceedings.[53] Verily, "[w]here opportunity to be heard, either through oral arguments or pleadings, is accorded, there is no denial of due process."[54]

In *Fabella v. CA*,[55] the Court held that due process in administrative cases include the following:

> . . . (1) [T]he right to actual or constructive notice of the institution of proceedings which may affect a respondent's legal rights; (2) *a real opportunity to be heard personally or with the assistance of counsel, to present witnesses and evidence in one's favor, and to defend one's*

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50 *Florentino v. Rivera*, 515 Phil. 494, 503 (2006), *citing Globe Telecom, Inc. v. Florendo-Flores*, 438 Phil. 756, 765 (2002).

51 *Rollo*, p. 94.

52 *Go v. Echavez*, 765 Phil. 410, 423 (2015)

53 *Dept. of Agrarian Reform v. Samson*, 577 Phil. 370, 380 (2008), *citing Casimiro v. Tandog*, 498 Phil. 660 (2005).

54 *Casimiro v. Tandog*, *id.* at 666.

55 346 Phil. 940 (1997).

> *rights;* (3) a tribunal vested with competent jurisdiction and so constituted as to afford a person charged administratively a reasonable guarantee of honesty as well as impartiality; and (4) *a finding by said tribunal which is supported by substantial evidence submitted for consideration during the hearing or contained in the records or made known to the parties affected.*"[56] (Italics supplied; citation omitted)

In the case, however, respondents had no real opportunity to be heard on the merits of their arguments.

First, Regional Director Andres did not conduct any hearing or investigation on the nullity case. Instead of hearing the case on the merits, he issued the Order[57] dated November 27, 2000, which directed the execution and implementation of the Order dated July 28, 2000. Consequently, respondents were denied the opportunity to present witnesses and evidence in their favor.

What is more, respondents were not also given an opportunity to present their position through pleadings. Records show that respondents' Answer dated December 29, 1999, was merely "noted without action" by Regional Director Andres in the Order Dated November 27, 2000, because he was "not informed of its purpose."[58] Although respondents were able to file a motion for reconsideration thereafter, Regional Director Andres denied it in the Order dated April 4, 2001, on the ground of finality of the Order dated May 9, 2000. Evidently, the arguments raised by respondents in their Answer fell on deaf ears.

Second, Regional Director Andres stated in the Order dated May 9, 2000, that the truth in the matter "maybe vague, as there [were] no clear documents showing said findings,"[59] but he nonetheless concluded that the subject lots were no longer within the sphere of the OLT Program. Notably, he did not cite any factual and legal basis for his legal conclusion.[60] Verily, Regional Director Andres' findings was not supported by substantial evidence on record.

Evidently, Regional Director Andres' handling of the case, i.e., *ruling in favor of petitioner without conducting any hearing or investigation and simply noting respondents' Answer without action*, was

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56 *Id.* at 952–953.
57 *Rollo*, pp. 92–93.
58 *Id.* at 92.
59 *Id.* at 82.
60 *Id.* at 82–83.

in gross violation of Section 50 of Republic Act No. (RA) 6657[61] which provides that the "[DAR] *shall not be bound by technical rules of procedure* and evidence but shall proceed to hear and decide all cases, disputes or controversies in a most expeditious manner, *employing all reasonable means to ascertain the facts of every case in accordance with justice and equity and the merits of the case.*"

On the bright side, respondents' constitutional right to due process was vindicated when the DAR Secretary took cognizance of their appeal.

The Court acknowledges the point made by Associate Justice Maria Filomena D. Singh in her Dissenting Opinion that the perfection of an appeal *within the period* and *in the manner prescribed by law* is jurisdictional, and non-compliance with these requirements is considered fatal and has the effect of rendering the judgment final and executory.

However, in view of the confusion that arose from the wording of the *fallo* of the Order dated May 9, 2000, the Court finds that relaxation of the technical rules of procedure is warranted in the case.

As previously discussed, the *fallo* of the Order dated May 9, 2000, merely gave due course to the petition; thus, respondents should not be faulted when they filed an Answer on August 28, 2000, instead of an appeal. Notably, respondents filed their Answer within the 15-day reglementary period to file an appeal, that is, five days after they received the Order dated July 28, 2000, *on August 23, 2000.*[62]

To stress, respondents herein are farmer-beneficiaries of the OLT Program under Presidential Decree No. 27[63]—a piece of social legislation intended to emancipate "the tiller of the soil from his bondage." In *Pagtalunan v. Judge Tamayo*,[64] the Court held that upon the issuance of an EP, the holder thereof "acquires the vested right of absolute ownership in the landholding — a right which has become fixed and established, and is no longer open to doubt or controversy."[65]

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61 "Comprehensive Agrarian Reform Law of 1988," approved on June 10, 1988.
62 *Rollo*, p. 92.
63 "Tenants Emancipation Decree," approved on October 21, 1972.
64 262 Phil. 267 (1990).
65 *Id.* at 275, *citing Balbao v. Farrales*, 51 Phil. 498 (1928) and *Republic v. De Porkan*, 235 Phil. 93 (1987).

Considering that the case before the Court is an administrative proceeding wherein technical rules of procedure are generally liberally construed,[66] and pursuant to the mandate of the DAR under Section 50 of RA 6657, any confusion and doubt that arose as a result of the Order dated May 9, 2000, should be resolved in favor of respondents, consistent with the spirit of the agrarian reform law.

Thus, in *Dept. of Agrarian Reform v. Samson*,[67] the Court ruled that the DAR did not err when it reversed the decree of Comprehensive Agrarian Reform Program exemption issued by the DAR Regional Director although the appeal was filed *after more than one year*, to wit:

> Administrative Order No. 13 series of 1990 (A.O. No. 13-90) as revised by Administrative Order No. 10 series of 1994 (A.O. No. 10-94) provides that the Order of the Regional Director approving or denying the application for exemption shall become final 15 days from receipt of the same unless an appeal is made to the Secretary. Though the undated Order of Regional Director Dalugdug appears to have been issued sometime in 1995, the farmers-petitioners alleged that they were notified of said Order only on January 27, 1997. Hence, when petitioners-farmers filed their Opposition/Petition on March 19, 1997, the period to appeal had expired.
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> However, we find no error on the part of petitioner DAR when it entertained the appeal of farmers-petitioners after finding the same meritorious, consistent with the declared policies of RA 6657 in giving the welfare of the landless farmers and farm workers the highest consideration. In several instances, even the Court entertained and allowed lapsed appeals in the higher interest of justice. Moreover, proceedings before the DAR are summary and pursuant to Section 50 of RA 6657, the department is not bound by technical rules of procedure and evidence, to the end that agrarian reform disputes and other issues will be adjudicated in a just, expeditious and inexpensive action or proceeding.
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> It is important to reiterate that administrative agencies are not bound by the technical niceties of law and procedure and the rules obtaining in the courts of law. It is well-settled that rules of procedure are construed liberally in proceedings before administrative bodies and are not to be applied in a very rigid and technical manner, as these are used only to help secure and not to override substantial justice.[68] (Citations omitted)

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66 *Dept. of Agrarian Reform v. Uy*, 544 Phil. 308, 330 (2007).
67 577 Phil. 370 (2008).
68 *Id.* at 378–380.

In *Garcia v. Santos Ventura Hocorma Foundation, Inc.*,[69] the Court similarly ruled that then DAR Secretary Roberto Pagdanganan did not err when he entertained the application for exemption and granted it in favor of the respondent therein although the DAR Regional Director's Order had already attained finality.[70]

In the same vein, the DAR Secretary did not err in taking cognizance of respondents' appeal and ruling on its merits under the given circumstances.

Anent the second issue, it is settled that findings of fact of administrative agencies are accorded great respect owing to their special knowledge and expertise over the matters falling within their jurisdiction if such findings are supported by substantial evidence.[71] Consequently, the CA aptly sustained the findings of the DAR Secretary as affirmed by the OP.

In addition, a Rule 45 petition is limited only to questions of law[72] as the Court is not a trier of facts.[73] Although this rule is subject to several exceptions,[74] none obtain in the present case.

In fine, petitioner failed to demonstrate that the CA committed any reversible error when it affirmed the OP's decision that upheld the DAR Secretary's Order dated June 16, 2005, setting aside the orders issued by Regional Director Andres in the nullity case.

ACCORDINGLY, the Petition is hereby **DENIED**. The Decision dated June 15, 2017, and the Resolution dated January 29, 2018, of the

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69 G.R. No. 224831, September 15, 2021.

70 *Id.*

71 *Rep. of the Phils. v. Salvador N. Lopez Agri-business Corp.*, 654 Phil. 44, 59 (2011), *citing A.Z. Arnaiz Realty, Inc. v. Office of the President*, 638 Phil. 481 (2010).

72 Rules of Court, Rule 45, sec. 1.

73 *Meralco Industrial Engineering Services Corp. v. National Labor Relations Commission*, 572 Phil. 94, 117 (2008).

74 *Medina v. Mayor Asistio, Jr.*, 269 Phil. 225, 232 (1990).
(1) When the conclusion is a finding grounded entirely on speculation, surmises or conjectures; (2) When the inference made is manifestly mistaken, absurd or impossible; (3) Where there is a grave abuse of discretion; (4) When the judgment is based on a misapprehension of facts; (5) When the findings of fact are conflicting; (6) When the Court of Appeals, in making its findings, went beyond the issues of the case and the same is contrary to the admissions of both appellant and appellee; (7) [When the] findings of the Court of Appeals are contrary to those of the trial court; (8) When the findings of fact are conclusions without citation of specific evidence on which they are based; (9) When the facts set forth in the petition as well as in the petitioner's main and reply briefs are not disputed by the respondents; and (10) [When the] finding of fact of the Court of Appeals is premised on the supposed absence of evidence and is contradicted by the evidence on record.

Court of Appeals in CA-G.R. SP No. 137366 are **AFFIRMED**.

SO ORDERED.

HENRI JEAN PAUL B. INTING
Associate Justice

WE CONCUR:

ALFREDO BENJAMIN S. CAGUIOA
Associate Justice

SAMUEL H. GAERLAN
Associate Justice

JAPAR B. DIMAAMPAO
Associate Justice

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, Third 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