



REPUBLIC OF THE PHILIPPINES  
SUPREME COURT  
Manila

SUPREME COURT OF THE PHILIPPINES  
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SECOND DIVISION

**NOTICE**

Sirs/Mesdames:

Please take notice that the Court, Second Division, issued a Resolution dated **11 December 2019** which reads as follows:

**G.R. No. 249118 (Olimpio Castelo and Marvin Castelo v. Heirs of Isabelo Banania, namely: David Banania, Helen Quijano, Rosie B. Coroneza, Nancy Costo, Jose Banania, Dioscoro Banania, Nestor Banania, Maria Cabiles, and Amparo Bongalos)**

After a judicious study of the case, the Court resolves to **DENY** the instant petition<sup>1</sup> and **AFFIRM with MODIFICATION** the January 8, 2019 Decision<sup>2</sup> and August 29, 2019 Resolution<sup>3</sup> of the Court of Appeals (CA) in CA-G.R. CV No. 106403 for failure of petitioners Olimpio Castelo and Marvin Castelo (petitioners) to sufficiently show that the CA committed any reversible error in upholding respondents Heirs of Isabelo Banania, namely: David Banania, Helen Quijano, Rosie B. Coroneza, Nancy Costo, Jose Banania, Dioscoro Banania, Nestor Banania, Maria Cabiles, and Amparo Bongalos' (respondents) ownership over the subject properties, designated as Lot Nos. 1569-A, 1569-B, and 1569-D, consisting of 1,215 square meters, situated in Nagas, Tiwi, Albay (subject properties). However, in light of prevailing jurisprudence,<sup>4</sup> the Court deems it proper to modify the CA Decision by imposing an interest at the rate of six percent (6%) per annum on all monetary awards due to respondents computed from the date of finality of this Resolution until full payment.

As correctly ruled by the CA, respondents had established ownership over the subject properties by virtue of the certificates of title issued in the name of their predecessor-in-interest, Isabelo Banania, and thus, serve as evidence of indefeasible title to the subject properties in their favor.<sup>5</sup> Also, the CA correctly upheld the trial court's jurisdiction over the case as the assessed value of the above-mentioned properties based on the tax declarations<sup>6</sup> exceeds ₱20,000.00 or a total value of ₱36,930.00. Settled is the rule that factual findings of the trial court, especially when affirmed by the appellate court and supported by sufficient evidence, deserve respect and finality by this Court,<sup>7</sup> as in this case.

<sup>1</sup> Rollo, pp. 7-30.

<sup>2</sup> Id. at 33-44. Penned by Associate Justice Gabriel T. Robeniol with Associate Justices Ramon R. Garcia and Eduardo B. Peralta, Jr., concurring.

<sup>3</sup> Id. at 45-47.

<sup>4</sup> *Nacar v. Gallery Frames*, 716 Phil. 267, 283 (2013).

<sup>5</sup> It is a hornbook principle that a certificate of title serves as evidence of an indefeasible title to the property in favor of the person whose name appears therein. (*Spouses Decaleng v. Bishop of the Missionary District of the Philippine Islands of Protestant Episcopal Church in the United States of America*, 689 Phil. 422, 444 [2012].)

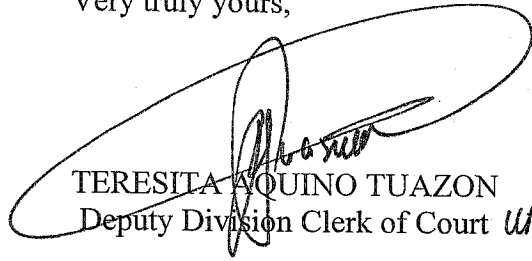
<sup>6</sup> Not attached to the rollo.

<sup>7</sup> *Pacific Airways Corporation v. Tonda*, 441 Phil. 156, 162 (2002).

*11/2/19*

**SO ORDERED.”**

Very truly yours,



TERESITA AQUINO TUAZON  
Deputy Division Clerk of Court *Wtk: 12/26*

27 DEC 2019

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HON. PRESIDING JUDGE (reg)  
Regional Trial Court, Branch 15  
Tabaco City, Albay  
(Civil Case No. T-2569)

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\*With copy of CA Decision dated 8 January 2019  
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GR249118. 12/11/2019B(165)URES

**B(165)URES**