



Republic of the Philippines  
Supreme Court  
Manila

FIRST DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **June 30, 2020** which reads as follows:*

**“G.R. No. 244028 – Imelda S. Caynila v. Rolando L. Caynila**

Before the Court is a Petition for Review on *Certiorari*<sup>1</sup> seeking the reversal of the Resolutions<sup>2</sup> dated April 26, 2018 and January 10, 2019, both promulgated by the Court of Appeals (CA) in CA-G.R. SP No. 154981, which denied petitioner’s Motion for Extension of Time to File Petition for Review dated April 2, 2018, for having been filed out of time, and which denied her Motion for Reconsideration, respectively.

Rolando L. Caynila (Rolando) sought the eviction of spouses Placido and Imelda S. Caynila from a parcel of land, registered under Transfer Certificate of Title (TCT) No. 039-2015012665, claiming that he is the registered owner of the same. Spouses Caynila, on the other hand, claimed to be the rightful owners of the subject property and assailed the registration of the said property by Rolando’s predecessor-in-interest.

In its Decision<sup>3</sup> dated June 16, 2017, the Municipal Trial Court (MTC) of Guiguinto, Bulacan ruled that Rolando had sufficiently proven that he is the registered owner of the subject property, acquired by sale from his sister, Adelaida Accad in a deed dated June 8, 2015. The MTC further ruled that the defense of spouses Caynila was a collateral attack against a registered title of ownership under the Torrens System which is prohibited under Section 48 of Presidential Decree No. 1529.

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<sup>1</sup> *Rollo*, pp. 13-26.

<sup>2</sup> Penned by Associate Justice Ramon A. Cruz and concurred by Associate Justice Ramon M. Bato, Jr. and Associate Justice Pablito A. Perez; *id.* at 34-35, 37.

<sup>3</sup> Penned by Judge Luis Enriquez Reyes; *id.* at 201-203.

A handwritten signature in the bottom right corner of the page.

Sps. Placido and Imelda filed a Notice of Appeal dated July 7, 2017 and invoked Republic Act (R.A.) No. 9406<sup>4</sup> stating that they are exempt from the payment of docket and other fees.

The spouses also failed to pay the supersedeas bond amounting to ₱105,000.00, hence it was deemed that their appeal was not perfected and the MTC Decision had become final and executory.<sup>5</sup>

Rolando thereafter filed a Very Urgent Ex-Parte Motion to Remand the Case Records to the Court of Origin for the Enforcement of the Decision dated June 16, 2017, alleging that a judgment in favor of the plaintiff in an ejectment suit is immediately executory in order to prevent further damage to him arising from the loss of possession of the subject property, except only when the defendant has complied with the requirement under the Rules to stay the same. Rolando argued that even if spouses Caynila were exempted from paying the docket fees or appeal fees, they are not exempted from paying the *supersedeas* bond and the periodic deposit of rentals provided for under the Rules.

The RTC granted the Very Urgent Ex-Parte Motion filed by Rolando in its Resolution<sup>6</sup> dated October 27, 2017, holding that *supersedeas* bonds are not included in the coverage of legal fees that indigent litigants are exempt from. Thus, having failed to file the required *supersedeas* bond, the MTC Decision is immediately executory.

The RTC denied spouses Caynila's Motion for Reconsideration in its Resolution<sup>7</sup> dated February 23, 2018. It stated that while spouses Caynila had perfected their appeal, their failure to file the required *supersedeas* bond and to periodically deposit rentals due did not stay the execution of the judgment of the MTC. Furthermore, the lower court dismissed the appeal for failure of spouses Caynila to submit their Memorandum within the period allowed by the Rules.

In the meantime, Placido S. Caynila died.

Imelda elevated the case to the CA. On March 19, 2018, she filed her Motion for Extension of Time to File Petition for Review to

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<sup>4</sup> AN ACT REORGANIZING AND STRENGTHENING THE PUBLIC ATTORNEY'S OFFICE (PAO), AMENDING FOR THE PURPOSE PERTINENT PROVISIONS OF EXECUTIVE ORDER NO. 292, OTHERWISE KNOWN AS THE "ADMINISTRATIVE CODE OF 1987," AS AMENDED, GRANTING SPECIAL ALLOWANCE TO PAO OFFICIALS AND LAWYERS, AND PROVIDING FUNDS THEREFOR.

<sup>5</sup> *Rollo*, p. 68.

<sup>6</sup> Penned by Presiding Judge Crisostomo J. Danguilan; *id.* at 67-70.

<sup>7</sup> *Id.* at 79-86.

question the Resolution dated October 27, 2017, issued by the RTC, Malolos, Bulacan, alleging that she received the Resolution dated February 23, 2018, on March 2, 2018. Because the deadline of March 17, 2018, fell on a Saturday, Imelda filed her motion for extension of time on the next business day, or on March 19, 2018.

In its Resolution dated April 26, 2018, the CA denied petitioner's Motion for Extension of Time holding that the said motion must be filed before the expiration of the period sought to be extended. It also held that its discretion to grant such motion was conditioned upon its timeliness. Thus, the CA dismissed petitioner's Petition for Review dated April 2, 2018.<sup>8</sup>

Imelda moved for reconsideration, but the same was denied by the CA on January 10, 2019, there being no new matter raised that would warrant the reversal of the earlier resolution.<sup>9</sup>

Aggrieved, Imelda elevated the instant case before this Court through a Petition for Review on *Certiorari* under Rule 45 of the Rules of Court, raising the sole issue of:

WHETHER THE COURT OF APPEALS GRAVELY ERRED IN DENYING THE MOTION FOR EXTENSION OF TIME TO FILE A PETITION FOR REVIEW, AND IN DISMISSING THE PETITION FOR REVIEW LATER FILED, BASED ON THE ALLEGED LATE FILING OF THE SAID MOTION ON THE NEXT WORKING DAY FOLLOWING ITS DUE DATE, WHICH FELL ON A SATURDAY.<sup>10</sup>

According to petitioner, she contended that in *Dela Cruz v. Maersk Filipinas Crewing, Inc.*,<sup>11</sup> this Court had clarified that should a party desire to file any pleading, even a motion for extension of time to file a pleading, and the last day falls on a Saturday, Sunday or a legal holiday, he/she may do so on the next working day. She also insisted that the Petition should be given due course on the ground that it is meritorious, since respondent had offered nothing but bare and self-serving allegations as to how petitioner purportedly possessed and occupied the subject property by mere tolerance and rejected respondent's demand to vacate the same.

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<sup>8</sup> Id. at 34-35.

<sup>9</sup> Id. at 37.

<sup>10</sup> Id. at 21.

<sup>11</sup> 574 Phil. 441, 449 (2008).

In his Comment,<sup>12</sup> respondent merely echoed the ruling of the CA and argued that A.M. No. 00-02-14-SC is clear that petitioner should have filed its Petition for Review on or before the due date.

After perusal of the records of the case, this Court resolves to grant the Petition on the ground that it was filed on time.

At the first instance, the CA incorrectly applied the doctrine laid down in A.M. No. 00-2-14-SC, in relation to *De La Cruz v. Maersk Filipinas Crewing, Inc.*<sup>13</sup> The appellate court essentially pronounced that when the deadline to file a required pleading falls on a Saturday, Sunday or any other legal holiday in the place where the court sits, any motion for extension of time to file the same should be made on or before the said deadline, otherwise there is no more period to extend at all.

Section 1, Rule 22 of the Rules of Court clearly states that “[i]f the last day of the period, as thus computed, falls on a Saturday, a Sunday, or a legal holiday in the place where the court sits, the time shall not run until the next working day.

In *Montajes v. People*,<sup>14</sup> this Court had the occasion to expound on the matter, wherein it stated that when an extension has been granted by the court to file the required pleading, the period prayed for should be tacked to the original period and commences immediately after the expiration of such period.

This means that if the last day of filing the required pleading falls on a Saturday, Sunday or any other legal holiday in the place where the court sits, and a motion for extension of time was filed on the next working day, the start of the extended period to file the required pleading shall be counted from the said Saturday, Sunday or the date of the legal holiday, and not the next working day when the motion was actually filed. Contrary to the ruling of the CA, the aforementioned doctrine laid down in *De La Cruz v. Maersk Filipinas Crewing, Inc.* does not mean that any motion for extension to file a required pleading should be made exactly within the prescribed period under the rules, even if the last day falls on a Saturday, a Sunday or any other legal holiday in the place where the court sits.

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<sup>12</sup> *Rollo*, pp. 218-222.

<sup>13</sup> *Supra* note 11.

<sup>14</sup> 684 Phil. 1 (2012).

In the instant case, the original last day to file the Petition for Review fell on March 17, 2018, a Saturday. Petitioner then filed a Motion for Extension of Time on March 19, 2018, which is the next working day, praying for an extension of 15 days or until April 1, 2018, a Sunday, to file her Petition for Review. Therefore, petitioner having filed her petition the next working day, or on April 2, 2018, the CA was incorrect in ruling that it was filed out of time.

Procedural rules are tools designed to facilitate the adjudication of cases so courts and litigants alike are thus enjoined to abide strictly by the rules.<sup>15</sup> Still, this Court has stressed that every party litigant must be afforded the fullest opportunity to properly ventilate and argue his or her case, “free from the constraints of technicalities.”<sup>16</sup> Even if the Motion for Extension of Time and the Petition for Review, respectively, were filed belatedly, procedural rules may be relaxed for the most persuasive of reasons so as to relieve a litigant of an injustice not commensurate with the degree of his thoughtlessness is not complying with the procedure prescribed,<sup>17</sup> especially if the period of supposed delay was merely one day, and the arguments laid down by a party are substantial and involving the life, liberty, and property of a litigant thus, being more prudent that it should be decided based on its merits rather than focus on mere technicalities and subvert the interest of justice and fair play. Indeed, though no party can assume that its motion for extension would be granted, any denial thereof should be reasonable.<sup>18</sup>

**WHEREFORE**, the petition is **GRANTED**. The Resolutions dated April 26, 2018 and January 10, 2019 of the Court of Appeals are **REVERSED** and **SET ASIDE**. Accordingly, the CA is **DIRECTED** to **REINSTATE** the Petition for Review docketed as CA-G.R. SP. No. 154981.

**SO ORDERED.”**

Very truly yours,

  
**LIBRADA C. BUENA**  
Division Clerk of Court

by:

**MARIA TERESA B. SIBULO**  
Deputy Division Clerk of Court

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<sup>15</sup> *Cortal v. Larrazabal*, G.R. No. 199107, August 30, 2017.

<sup>16</sup> *A-One Feeds, Inc. v. Court of Appeals*, 188 Phil. 577, 580 (1980).

<sup>17</sup> *Sy v. Local Government of Quezon City*, 710 Phil. 549, 557 (2013).

<sup>18</sup> *Heirs of Zaulda v. Zaulda*, 729 Phil. 648 (2014).



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The Hon. Presiding Judge  
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