

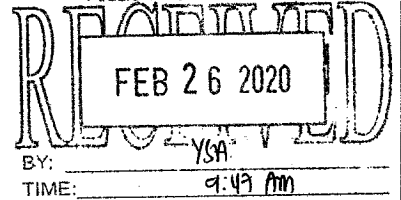


REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

SUPREME COURT OF THE PHILIPPINES
PUBLIC INFORMATION OFFICE



Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **03 February 2020** which reads as follows:*

“**G.R. No. 250170 (Jose C. Caguimbal v. Civil Service Commission)**. – The Court resolves to **INFORM** petitioner Jose C. Caguimbal (petitioner) that he or his authorized representative may personally claim from the Cash Disbursement and Collection Division of this Court the excess payment of the prescribed legal fees in the amount of ₱970.00 under O.R. No. 0268401 dated November 21, 2019.

After a judicious study of the case, the Court further resolves to **DENY** the instant petition¹ and **AFFIRM** the August 13, 2018 Decision² and the October 3, 2019 Resolution³ of the Court of Appeals (CA) in CA-G.R. SP No. 142458 for failure of petitioner to sufficiently show that the CA committed any reversible error in affirming the July 31, 2015 Decision⁴ of respondent Civil Service Commission (CSC).

As correctly ruled by the CA, the Decision of the CSC had become immutable and can no longer be a subject of the appeal, thus, petitioner is bound thereby.⁵ It is a fundamental principle that a judgment that lapses into finality becomes immutable and unalterable. The primary consequence of this principle is that the judgment may no longer be modified or amended by any court in any manner even if the purpose of the modification or amendment is to correct perceived errors of law or fact,⁶ save for certain exceptions,⁷ none of which obtain in this case.

¹ *Rollo*, pp. 9-23.

² *Id.* at 86-95. Penned by Associate Justice Marie Christine Azcarraga-Jacob with Associate Justices Celia C. Libre-Leagogo and Samuel H. Gaerlan (now a member of this Court), concurring.

³ *Id.* at 28-31.

⁴ *Id.* at 65-71. Signed by Commissioners Robert S. Martinez and Nieves L. Osorio.

⁵ See *id.* at 92.

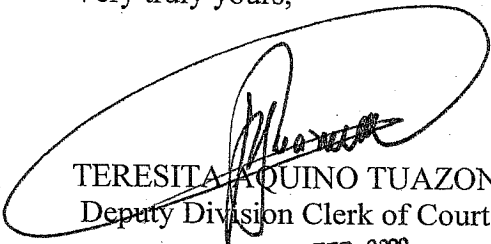
⁶ *Mercury Drug Corporation v. Huang*, G.R. No. 192406, August 30, 2017, 838 SCRA 221, 233.

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In any case, petitioner's contention that he was denied his right to procedural due process is without merit. The essence of procedural due process is embodied in the basic requirement of notice and an opportunity to be heard, or as applied in administrative proceedings, an opportunity to explain one's side, or an opportunity to seek reconsideration of the action or ruling complained of.⁸ In the instant case, petitioner was given an opportunity to be heard. Moreover, the filing of his motion for reconsideration, through counsel, cured any seeming defect in the observance of due process.⁹

SO ORDERED. (Hernando, J., on official leave.)”

Very truly yours,


TERESITA AQUINO TUAZON
Deputy Division Clerk of Court
20 FEB 2020 p2p20

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*For this resolution only
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⁷ *One Shipping Corporation v. Penafiel*, 751 Phil. 204, 211 (2015).

⁸ See *rollo*, p. 93.

⁹ *Nestle Philippines, Inc. v. Puedan, Jr.*, 804 Phil. 583, 595 (2017), citing *Gonzales v. CSC*, 524 Phil. 271, 278 (2006).