

**[ADMINISTRATIVE ORDER NO. 295, June 30,
1971]**

**SUSPENDING MR. PABLO M. AMOG FROM OFFICE AS MUNICIPAL
JUDGE OF PALAUIG, ZAMBALES**

This is an administrative case filed by Councilor Pedro G. Payoyo against Municipal Judge Pablo M. Amog of Palauig, Zambales, for drunkenness and abuse of position, which was investigated by the District Judge.

The charges relate to the incident alleged by complainant that he and respondent judge were among the guests at the luncheon party tendered by Major Melanio M. Ledina at the Riverside Restaurant on July 27, 1968; that when all those present were about to eat, respondent, who appeared reddish and drunk, approached complainant, held him by the arm and, then and there, without cause or reason, uttered in Zambal dialect insulting statements and threatened him with fist blows were it not for the intervention of the municipal treasurer of Palauig; and that failing in this, respondent got a tablespoon, scooped viand and then threw it at complainant smearing him from head to foot.

Respondent in his answer denied the acts imputed to him, insisting that he was sober during the occasion mentioned in the complaint, having drunk only one bottle of beer.

In support of the charges, complainant offered his testimony, as well as that of Municipal Treasurer Domingo Monato and Councilors Emilio Fulinara and Felicito Aranda. Complainant narrated that there two tables intended for the guests, the bigger one being occupied by Mayor Ledina, Vice-Mayor Del Fierro, Councilors Apatan and Elefane, Fr. Dingcon and three others, while the smaller one was occupied by him and others. Soon thereafter, respondent arrived with Municipal Treasurer Domingo Monato, both of whom occupied also the table where complainant was. Respondent sat at complainant's left. Not long after, respondent said: "All the municipal councilors are stupid and the most stupid is Councilor Payoyo". Respondent then stood up intending to box complainant, but Municipal Treasurer Monato got up and told complainant to change his seat, which he did by sitting opposite respondent. As complainant was already seated, respondent twice thrust his spoon full of viand to complainant smearing his face and other parts of the body.

Upon the other hand, respondent's version of the incident is that as he was gesticulating in the course of his discussion with Municipal Treasurer Monato regarding the feasibility of purchasing office supplies for the municipal court at the time when the books of accounts of the municipality were about to be closed, his right hand touched the saucer in front of them, spilling the soy sauce contained therein, which smeared his trousers and spread to the direction of complainant; that he neither threw viand at nor uttered taunting remarks against complainant; that on