

THIRD DIVISION

[G.R. No. 194167, February 10, 2021]

LAND BANK OF THE PHILIPPINES, PETITIONER, VS. MAGDALENA QUILIT AND MAURICIO LAOYAN, RESPONDENTS.

DECISION

HERNANDO, J.:

This Petition for Review on *Certiorari*^[1] assails the October 19, 2010 Decision^[2] of the Court of Appeals (CA) in CA-G.R. SP No. 104830, which denied the Petition for Review^[3] of herein petitioner Land Bank of the Philippines (LBP).

Petitioner seeks the reversal of the August 7, 2006 Resolution^[4] of the Department of Agrarian Reform Adjudication Board (DARAB) dismissing its Petition for *Certiorari*^[5] in DARAB Case No. 0191, as well as the April 10, 2008 Resolution^[6] denying its Motion for Reconsideration.^[7]

Factual Antecedents:

On August 13, 1999, herein respondents Mauricio Laoyan (Laoyan; now deceased)^[8] and Magdalena Quilit (Quilit) filed with the Regional Agrarian Reform Adjudicator (RARAD) a petition for annulment of sale of an agricultural land and redemption thereof docketed as DARAB Case No. 0347-99-B-CAR. The case involves two parcels of land located at La Trinidad, Benguet containing areas of 219 square meters and 3,042 square meters, including improvements thereon, which were formerly owned by the Spouses Pedro and Erenita Tolding (Spouses Tolding). These lots were mortgaged by the Spouses Tolding and were later acquired by petitioner through foreclosure, by virtue of which petitioner was issued Transfer Certificates of Title (TCT) Nos. T-43270 and T-43271.^[9]

Ruling of the Regional Agrarian Reform Adjudicator:

After the parties submitted their respective position papers, the RARAD rendered a Decision^[10] holding, among others, that respondents may exercise their right of redemption for both parcels of land.

Aggrieved, petitioner filed a Notice of Appeal^[11] with the RARAD but it was denied in an Order^[12] dated February 28, 2008 for being filed late. Subsequently, the RARAD issued a Writ of Execution^[13] commanding the Department of Agrarian

Reform (DAR) sheriff to enforce and execute the December 17, 1999 Decision.

Petitioner thus filed a Motion for Reconsideration^[14] of the RARAD's denial of its Notice of Appeal and issuance of the Writ of Execution, which was, however, denied by the RARAD in an Order^[15] dated April 10, 2000. Thereafter, on April 28, 2000, the RARAD issued a Certificate of Finality and Entry of Judgment.^[16]

**Ruling of the
Department
of Agrarian
Reform
Adjudication
Board.**

On May 4, 2000, petitioner filed with the DARAB a Petition for *Certiorari*^[17] assailing the December 17, 1999 Decision, April 10, 2000 Order, issuance of the writ of execution and certificate of finality by the RARAD, in accordance with Section 3, Rule VIII of the 1994 DARAB New Rules of Procedure, which states:

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. (Emphasis supplied)

In the meantime, the RARAD issued an Order^[18] directing the Register of Deeds of Benguet "to immediately release Transfer Certificates of Title Numbers T-43270 and T-43271 to the petitioners through counsel, Atty. Daniel D. Mangallay, who shall likewise submit the same upon payment of the necessary fees for their cancellation and for issuance of new titles in the names of MAGDALENA QUILIT and MAURICIO LAOYAN x x x."^[19]

On September 14, 2000, a Deed of Transfer and/or Reconveyance^[20] involving the parcels of land was executed by and between Janette Olsim, Regional Clerk of the RARAD and Quilit. In view thereof, the Register of Deeds of Benguet issued TCT No. T-46455^[21] in the name of Quilit and TCT No. T-46456^[22] in the names of Quilit and Laoyan, and canceled petitioner's titles over the said parcels of land.

On August 7, 2006, the DARAB issued a Resolution^[23] dismissing the May 2, 2000 Petition for *Certiorari* of petitioner on the ground that the DARAB, being only a quasi-judicial body with limited jurisdiction, cannot acquire jurisdiction over petitions for *certiorari*. Citing *Department of Agrarian Reform Adjudication Board v. Lubrica (Lubrica)*,^[24] the DARAB held in this wise:

In resolving the petition, this Board notes the ruling of the Supreme Court in Department of Agrarian Reform Adjudication Board Et al., vs. Josefina S. Lubrica, et al. (G.R. No. 159145) dated April 29, 2005 hereby quoted, to wit:

"The DARAB is only a quasi-judicial body, whose limited jurisdiction does not include authority over petitions for certiorari in the absence of an express grant in R.A. No. 6657, E.O. No. 229 and E.O. No. 129-A."

Accordingly, this Board is constrained to refrain from taking further action in the present petition except to dismiss the same for lack of jurisdiction.

[25]

Petitioner thus filed a motion for reconsideration^[26] which was, however, denied by the DARAB in its April 10, 2008 Resolution.^[27]

Ruling of the Court of Appeals:

Petitioner, in its Petition for Review^[28] filed with the CA, averred, among others, that the RARAD acted without or in excess of its jurisdiction when it denied its Notice of Appeal. LBP likewise claimed that the DARAB committed an error in judgment when it dismissed its May 2, 2000 Petition for *Certiorari* for lack of jurisdiction.

On October 19, 2010, the CA rendered its assailed Decision^[29] denying LBP's petition for review. Applying the ruling in *Lubrica*, the appellate court held, among others, that the DARAB is only a quasi-judicial agency whose limited jurisdiction "does not include authority over petitions for certiorari, in the absence of an express grant in R.A. No. 6657, E.O. No. 229 and E.O. No. 129-A."^[30]

The CA explained further that even if the 1994 DARAB New Rules of Procedure permitted the filing of a petition for *certiorari* with the DARAB, the DARAB may dismiss the same considering the petitioner's failure to file the requisite motion for reconsideration with the RARAD within the five-day reglementary period provided for by the rules.

Hence the instant petition.

Issues

Petitioner raised the following assignment of errors in its petition:

I.

WHETHER OR NOT THE COURT OF APPEALS HAS COMMITTED AN ERROR FOR NOT RESOLVING; LIKE THE DARAB, THE MERIT OF THE CASE INSPITE OF SHOWING BY PETITIONER LANDBANK THAT THE DECISION OF THE RARAD IT HAD ORIGINALLY CHALLENGED BY *CERTIORARI* WAS PATENTLY NOT IN ACCORD WITH LAW.

II.

WHETHER OR NOT THE RULE THAT *CERTIORARI* IS NOT COGNIZABLE BY DAR ADJUDICATION BOARD (DARAB), AS LAID DOWN IN *DEPARTMENT OF AGRARIAN REFORM ADJUDICATION BOARD, ET AL. VS. JOSEFINA LUBRICA* [G.R. NO. 159145, APRIL 29, 2005], SHALL APPLY TO PETITIONS FOR *CERTIORARI* FILED WITH DARAB IN ACCORDANCE WITH ITS RULES OF PROCEDURE THEN IN FORCE AND PRIOR TO SAID *LUBRICA* DECISION THUS WARRANT DISMISSAL THEREOF TO THE PREJUDICE OF AGGRIEVED PARTIES WHO AVAILED OF SAID REMEDY.^[31]

Our Ruling

We deny the Petition.

Preliminary Matters.

At the outset, we find that the CA committed no reversible error when it did not categorically rule on the substantive merits of petitioner's September 1, 2008 petition for review^[32] and merely resolved to rule on the propriety of the DARAB's decision to dismiss petitioner's May 2, 2000 petition for *certiorari*^[33] for lack of jurisdiction. Having found that the remedy of *certiorari* is not cognizable by the DARAB, it would be futile on its part to still pass upon the other assignments of error of petitioner which, we note, essentially involve a review of the December 17, 1999 Decision^[34] of the RARAD.

On this point, it bears emphasis that findings of facts of quasi-judicial agencies, such as the RARAD, are "generally accorded great weight and even finality,"^[35] owing to the fact that they are deemed experts on "matters within its specific and specialized jurisdiction."^[36] Thus, considering that the RARAD has acquired expertise in specific matters within its jurisdiction, its findings deserve full respect "in the absence of substantial showing that such findings were made from an erroneous estimation of the evidence presented."^[37]

The primordial issue that must be resolved, therefore, is whether the DARAB erred in dismissing the May 2, 2000 petition for *certiorari* filed by petitioner for lack of jurisdiction.

**The
jurisprudential
pronouncement
in *Lubrica*
remains to be
good law, and
is doctrinal and
controlling.**

Lubrica,^[38] which likewise involved herein LBP, has settled that the DARAB is devoid of power to issue writs of *certiorari*.

The landowner in *Lubrica* filed a petition for fixing of payment and just compensation of a parcel of land with the RARAD against the DAR and LBP. After

summary administrative proceedings, the RARAD rendered a decision in favor of the landowner and ordered the bank to pay an amount that was greater than the initial valuation of the land determined by DAR and the bank. LBP thus filed a petition for just compensation with the Regional Trial Court (RTC),^[39] which was, however, denied by the RTC for its failure to pay the docket fees within the reglementary period.

While the petition for just compensation was pending with the RTC, the RARAD issued: (1) an order declaring its earlier decision as final and executory; and (2) a writ of execution directing the DAR sheriff to implement its decision. Thus, the bank filed a petition for *certiorari* before the DARAB in accordance with the 1994 DARAB New Rules of Procedure, which prayed for the nullification of the decision and writ of execution of the RARAD.^[40]

The DARAB ruled for LBP and prevented the RARAD from implementing its decision. This prompted the landowner to file a petition for prohibition with the CA, which the CA granted and enjoined the DARAB from further proceeding with the case as it did not have jurisdiction over special civil actions for *certiorari*. In ruling for the landowner, the appellate court held that the DARAB's exercise of jurisdiction over the bank's petition for *certiorari* had no constitutional or statutory basis.^[41] In affirming the ruling of the CA, this Court ruled in this wise:

Pursuant to Section 17 of Executive Order (E.O.) No. 229 and Section 13 of E.O. No. 129-A, the DARAB was created to act as a quasi-judicial arm of the DAR. With the passage of R.A. No. 6657, the adjudicatory powers and functions of the DAR were further delineated x x x

x x x Section 13 of E.O. No. 129-A also authorized the DAR to delegate its adjudicatory powers and functions to its regional offices.

To this end, the DARAB adopted its Rules of Procedure, where it delegated to the RARADs and PARADs the authority "to hear, determine and adjudicate all agrarian cases and disputes, and incidents in connection therewith, arising within their assigned territorial jurisdiction." In the absence of a specific statutory grant of jurisdiction to issue the said extraordinary writ of *certiorari*, the DARAB, as a quasi-judicial body with only limited jurisdiction, cannot exercise jurisdiction over Land Bank's petition for *certiorari*. Neither the quasijudicial authority of the DARAB nor its rule-making power justifies such self-conferment of authority.

x x x

That the statutes allowed the DARAB to adopt its own rules of procedure does not permit it with unbridled discretion to grant itself jurisdiction ordinarily conferred only by the Constitution or by law. Procedure, as distinguished from jurisdiction, is the means by which the power or authority of a court to hear and decide a class of cases is put into action. Rules of procedure are remedial in nature and not substantive. They cover only rules on pleadings and practice.^[42]