SECOND DIVISION

[G.R. No. 246553, December 02, 2020]

MARILYN B. MONTEHERMOSO, TANNY B. MONTEHERMOSO, EMMA B. MONTEHERMOSO OLIVEROS, EVA B. MONTEHERMOSO, TERESA B. MONTEHERMOSO CARIG, AND SALVAR B. MONTEHERMOSO, PETITIONERS, VS. ROMEO BATUTO AND ARNEL BATUTO, RESPONDENTS.

R E S O L U T I O N

LAZARO-JAVIER, J.:

Under the doctrine of finality of judgment or immutability of judgment, a decision that has acquired finality becomes immutable and unalterable, and may no longer be modified in any respect, even if the modification is meant to correct erroneous conclusions of fact and law, and whether it be made by the court that rendered it or by the Highest Court of the land. Any act which violates this principle must immediately be struck down.[1]

Here, the case arose from a complaint for cancellation of title, reconveyance, and damages. Respondents Romeo Batuto and Arnel Batuto claimed that their property, a forty-four thousand four hundred ten-square meter (44,410 sq.m.) piece of land was erroneously included in petitioners' Marilyn B. Montehermoso, Tanny B. Montehermoso, Emma B. Montehermoso Oliveros, Eva B. Montehermoso, Teresa B. Montehermoso Carig, and Salvar B. Monteherrnoso OCT No. 5781. By Decision[2] dated March 8, 2015, the Regional trial Court (RTC) found merit in respondents' claim and consequently ordered the reconveyance of the property to them. Petitioners thereafter launched a barrage of court actions all directed to set aside the trial court's decision, *viz*.:

First, Petitioners appealed the trial court's decision which appeal was dismissed per Court of Appeals' Resolution dated August 5, 2016. The same became final and executory on September 9, 2016[3] and the corresponding writ of execution and writ of demolition[4] were issued.

Second, Petitioner Tanny Montehermoso alone filed a petition for relief from judgment about a year later, which the Court of Appeals dismissed under Resolution[5] dated September 27, 2017. Petitioner Tanny's motion for reconsideration was also denied by Resolution[6] dated April 24, 2018.

Third, Then petitioners sought to reverse the foregoing Resolutions *via* a petition for review on *certiorari* filed with the Court which denied the same under Resolution dated August 6, 2018 for failure to show that the Court of Appeals committed reversible error which warranted the Court's exercise of its discretionary appellate jurisdiction.[7]

Fourth, But petitioners did not stop there. They again filed, this time, a petition for annulment of judgment before the Court of Appeals, raising as ground the trial court's alleged lack of jurisdiction over the case. In its assailed Resolution[8] dated February 13, 2019, the Court of Appeals dismissed the petition. Petitioners' motion for reconsideration was likewise denied under Resolution[9] dated April 10, 2019.

Finally, Petitioners, once again, are back before the Court *via* Rule 45, assailing the Court of Appeals' denial of their petition for annulment of judgment.

Invariably, petitioners, for over five (5) years since the trial court rendered its Decision dated March 8, 2015, have never stopped attacking it before different *fora* and through different modes of review. This notwithstanding that the assailed decision had long attained finality on September 9, 2016[10] and had already been implemented.[11] As it was, petitioners have stubbornly refused to respect the immutability of this judgment as they keep trifling and playing around the judicial process over and over again. But enough is enough.

Spouses Aguilar v. The Manila Banking Corporation[12] aptly held:

> It is an important fundamental principle in the judicial system that every litigation must come to an end. Access to the courts is guaranteed. But there must be a limit thereto. Once a litigant's rights have been adjudicated in a valid and final judgment of a competent court, he should not be granted an unbridled license to come back for another try. The prevailing party should not be harassed by subsequent suits. For, if endless litigations were to be encouraged, then unscrupulous litigants will multiply to the detriment of the administration of justice.
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> The Court reminds petitioners' counsel of the duty of lawyers who, as officers of the court, must see to it that the orderly administration of justice must not be unduly impeded. It is the duty of a counsel to advise his client, ordinarily a layman on the intricacies and vagaries of the law, on the merit or lack of merit of his case. If he finds that his client's cause is defenseless, then it is his bounden duty to advise the latter to acquiesce and submit, rather than traverse the incontrovertible. A lawyer must resist the whims and caprices of his client, and temper his client's propensity to litigate. A lawyer's oath to uphold the cause of justice is superior to his duty to his client; its primacy is indisputable.
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> There should be a greater awareness on the part of litigants and counsels that the time of the judiciary, much more so of this Court, is too valuable to be wasted or frittered away by efforts, far from commendable, to evade the operation of a decision final and executory, especially so, where, as shown in the present case, the clear and manifest absence of any right calling for vindication, is quite obvious and indisputable.
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> Verily, by the undue delay in the execution of a final judgment in their favor, respondents have suffered an injustice. The Court views with disfavor the unjustified delay in the enforcement of the final decision and orders in the present case. Once a judgment becomes final and