

THIRD DIVISION

[G.R. No. 190998, July 20, 2015]

SPOUSES ROBERT C. PADERANGA AND JOVITA M. PADERANGA, PETITIONERS, VS. SPOUSES PENDATUN A. BOGABONG AND NORMA P. BOGABONG; STALINGEORGE PADERANGA AND THE REGISTER OF DEEDS OF ILIGAN CITY; CIPRIANO RATUNIL; ANTONIO MIÑOZA; HEIRS OF TOMAS TAN SR., LOURDES TAN AND LIBEN GO MEDINA, RESPONDENTS.

DECISION

PERALTA, J.:

This deals with the Petition for Review on *Certiorari* under Rule 45 of the Rules of Court praying that the Resolution^[1] of the Court of Appeals (CA), promulgated on September 16, 2008, and the Resolution^[2] dated December 7, 2009, denying petitioner's motion for reconsideration thereof, be reversed and set aside.

Petitioners filed with the Regional Trial Court of Iligan City (RTC) a Complaint for *Injunction, Declaration of Nullity of forged Power of Attorney, etc., with Prayer for Preliminary Injunction or Restraining Order*, against respondents. The main issue raised in the complaint was the genuineness and authenticity of the signature of petitioner Robert Paderanga appearing on a Special Power of Attorney^[3] (SPA) supposedly authorizing respondent Stalingeorge Paderanga to sell the tract of land in contention. After trial, the RTC rendered judgment in favor of respondents, declaring the signature on the SPA as the true and genuine signature of Dr. Robert C. Paderanga, and dismissing the complaint. Petitioners' motion for reconsideration of the aforesaid Decision was denied per Resolution^[4] dated May 21, 2007.

Petitioners then appealed to the CA. After petitioners were notified to file their appellants' brief, their counsel prayed for several extensions of time within which to file the required pleading. The CA granted petitioners an extension of time totaling ninety (90) days, but petitioners still belatedly filed the appellants' brief.

Thus, the CA issued the Resolution dated September 16, 2008, wherein petitioners' appeal was deemed to have been abandoned and, accordingly, dismissed. In said Resolution, the CA stressed that in its Resolution dated April 25, 2008, petitioners were granted a second extension of thirty (30) days, but this time with a warning that no further motion for extension shall thereafter be entertained. The motion for reconsideration of the dismissal was denied in the CA's Resolution dated December 7, 2009.

Petitioners now come beseeching the Court to decide their case on the merits, presenting issues regarding (1) the authenticity of the signature of petitioner Robert Paderanga on the SPA; (2) the credibility of the handwriting expert presented as a defense witness; (3) the validity of the deed of sale executed by Stalingeorge