

## EN BANC

[ G.R. No. 200238, November 20, 2012 ]

**PHILIPPINE SAVINGS BANK (PSBANK) AND PASCUAL M. GARCIA III, AS REPRESENTATIVE OF PHILIPPINE SAVINGS BANK AND IN HIS PERSONAL CAPACITY, PETITIONERS, - VERSUS - SENATE IMPEACHMENT COURT, CONSISTING OF THE SENATORS OF THE REPUBLIC OF THE PHILIPPINES ACTING AS SENATOR JUDGES, NAMELY: JUAN PONCE ENRILE, JINGGOY EJERCITO ESTRADA, VICENTE C. SOTTO III, ALAN PETER S. CAYETANO, EDGARDO J. ANGARA, JOKER P. ARROYO, PIA S. CAYETANO, FRANKLIN M. DRILON, FRANCIS G. ESCUDERO, TEOFISTO GUINGONA III, GREGORIO B. HONASAN II, PANFILO M. LACSON, MANUEL M. LAPID, LOREN B. LEGARDA, FERDINAND R. MARCOS, JR., SERGIO R. OSMENA III, FRANCIS "KIKO" PANGILINAN, AQUILINO PIMENTEL III, RALPH G. RECTO, RAMON REVILLA, JR., ANTONIO F. TRILLANES IV, MANNY VILLAR; AND THE HONORABLE MEMBERS OF THE PROSECUTION PANEL OF THE HOUSE OF REPRESENTATIVES, RESPONDENTS.**

### R E S O L U T I O N

**PERLAS-BERNABE, J.:**

Petitioners Philippine Savings Bank (PSBank) and Pascual M. Garcia III, as President of PSBank, filed a Petition for *Certiorari* and Prohibition seeking to nullify and set aside the Resolution<sup>[1]</sup> of respondent Senate of the Republic of the Philippines, sitting as an Impeachment Court, which granted the prosecution's requests for *subpoena duces tecum ad testificandum*<sup>[2]</sup> to PSBank and/or its representatives requiring them to testify and produce before the Impeachment Court documents relative to the foreign currency accounts that were alleged to belong to then Suprerpe Court Chief Justice Renato C. Corona.

On November 5, 2012, and during the pendency of this petition, petitioners filed a Motion with Leave of Court to Withdraw the Petition<sup>[3]</sup> averring that subsequent events have overtaken the petition and that, with the termination of the impeachment proceedings against former Chief Justice Corona, they are no longer faced with the dilemma of either violating Republic Act No. 6426 (RA 6426) or being held in contempt of court for refusing to disclose the details of the subject foreign currency deposits.

It is well-settled that courts will not determine questions that have become moot and academic because there is no longer any justiciable controversy to speak of. The judgment will not serve any useful purpose or have any practical legal effect because, in the nature of things, it cannot be enforced.<sup>[4]</sup> In *Gancho-on v. Secretary*