

THIRD DIVISION

[A.M. No. 05-8-463-RTC, February 17, 2010]

REQUEST OF JUDGE NIÑO A. BATINGANA, REGIONAL TRIAL COURT, BRANCH 6, MATI, DAVAO ORIENTAL FOR EXTENSION OF TIME TO DECIDE CIVIL CASES NOS. 2063 AND 1756

DECISION

PERALTA, J.:

This administrative matter stemmed from the undue delay of Judge Niño A. Batingana, Presiding Judge, Regional Trial Court, Branch 6, Mati, Davao Oriental in deciding Civil Case No. 2063,^[1] and his failure to decide Civil Case No. 1756.^[2]

In separate letters, both dated June 23, 2005, Judge Batingana requested for a 90-day extension from June 29, 2005 within which to decide Civil Case No. 2063, and also a 90-day extension from July 5, 2005 within which to decide Civil Case No. 1756. He claimed that he was devoting his time for the resolution of Crim. Case No. 4651 and Civil Case No. 1890, and the resolution of other civil and criminal cases with incidents that needed to be acted upon immediately.

On August 31, 2005, the Court issued a Resolution granting both requests. Judge Batingana was required to submit to the Court, through the Office of the Court Administrator (OCA), a copy of his decision in each civil case within 10 days after its promulgation.

In the letters dated September 27, 2005 and October 3, 2005, Judge Batingana sought a second extension of 90 days from September 27, 2005 within which to decide Civil Case No. 2063, and another 90 days from October 3, 2005 within which to decide Civil Case No. 1756.

Moreover, in separate letters, both dated December 21, 2005, Judge Batingana sought a third extension of 90 days from December 27, 2005 within which to decide Civil Case No. 2063, and 90 days from January 2, 2006 within which to decide Civil Case No. 1756.

In a Resolution dated September 18, 2006, the Court granted the second and third requests for extension, and noted that Judge Batingana had been granted a total of 180 days to decide both civil cases. He was required to submit to the Court, through the OCA, a copy of his decision in each case within 10 days from promulgation.

Judge Batingana sought a fourth extension of 90 days from March 27, 2006 within which to decide Civil Case No. 2063 in a letter dated March 27, 200^[6], and another 90-day extension from April 2, 2006 within which to decide Civil Case No. 1756 in a letter dated April 3, 200^[6].

In his letters dated June 23, 2006 and June 30, 2006, Judge Batingana sought a fifth extension of 90 days from June 25, 2006 within which to decide Civil Case No. 2063, and another 90-day extension from July 1, 2006 within which to decide Civil Case No. 1756.

In a Resolution dated November 29, 2006, the Court granted the fourth and fifth extensions sought by Judge Batingana. He was directed to furnish the Court, through the OCA, a copy of his decision in each case.

In a letter dated September 22, 2006, Judge Batingana requested for the sixth time an extension of 90 days from September 23, 2006 within which to decide Civil Case No. 2063. Likewise, in his letter dated September 28, 2006, he sought an extension of 90 days from September 29, 2006 within which to decide Civil Case No. 1759. In both letters, he stated that he was devoting his time for the resolution of other civil and criminal cases with incidents that had to be acted upon immediately.

His separate letters both dated January 15, 2007 marked the seventh time Judge Batingana asked for another extension of 90 days from December 22, 2006 within which to decide Civil Case No. 2063, and 90 days from December 28, 2006 within which to decide Civil Case No. 1759.

In a Resolution dated March 28, 2007, the Court denied the extensions sought in the letters dated September 22 and 28, 2006, and the two letters dated January 15, 2007. Judge Batingana was directed to submit to the Court, through the OCA, a copy of his decision in each case within 10 days from notice.

Meantime, in a letter dated March 21, 2007, Judge Batingana sought for the eighth time an extension of 90 days from March 22, 2007 within which to decide Civil Case No. 2063. In another letter dated March 23, 2007, he asked for an extension of 90 days from March 28, 2007 within which to decide Civil Case No. 1759.

In a Resolution dated July 30, 2007, the Court denied the requests for extension dated March 21 and 28, 2007 on the ground that sufficient time had been given Judge Batingana to decide the civil cases.

Despite the Resolution dated March 28, 2007 denying his requests for extension to decide the civil cases, Judge Batingana still requested in a letter dated June 20, 2007 an extension of 90 days from June 21, 2007 within which to decide Civil Case No. 2063, which was his ninth request for extension. He also sought, in a letter dated June 26, 2007, an extension of 90 days from June 27, 2007 within which to decide Civil Case No. 1759. He alleged that he needed additional time to decide the two cases considering that he was devoting his time for the resolution of other civil and criminal cases with incidents that needed to be acted upon immediately.

In a Resolution dated September 24, 2007, the Court denied the requests for extension dated June 20 and 26, 2007, as already stated in its Resolution dated March 28, 2007. Judge Batingana was directed to submit to the Court, through the OCA, a copy of his decision in each case within 10 days from notice, with a stern warning that failure to decide a case within the reglementary period was tantamount to gross inefficiency, which would be administrative sanctioned by the court.

In a letter dated September 18, 2007, Judge Batingana made his tenth request for