

SPECIAL THIRD DIVISION

[G.R. No. 174570, December 15, 2010]

ROMER SY TAN, PETITIONER, VS. SY TIONG GUE, FELICIDAD CHAN SY, SY CHIM, SY TIONG SAN, SY YU BUN, SY YU SHIONG, SY YU SAN, AND BRYAN SY LIM, RESPONDENTS.

R E S O L U T I O N

PERALTA, J.:

On February 17, 2010, this Court rendered a Decision^[1] in G.R. No. 174570 entitled *Romer Sy Tan v. Sy Tiong Gue, et al.*, the decretal portion of which reads, as follows:

WHEREFORE, premises considered, the petition is **GRANTED**. The Decision and Resolution dated December 29, 2005 and August 18, 2006, respectively, of the Court of Appeals in CA-G.R. SP No. 81389 are **REVERSED** and **SET ASIDE**. The Orders of the RTC dated September 1, 2003 and October 28, 2003 are **REINSTATED**. The validity of Search Warrant Nos. 03-3611 and 03-3612 is **SUSTAINED**.

On March 22, 2010, respondents filed a Motion for Reconsideration^[2] wherein respondents informed this Court, *albeit* belatedly, that the Regional Trial Court (RTC) granted their motion for the withdrawal of the Information filed in Criminal Case No. 06-241375. As such, respondents prayed that the decision be reconsidered and set aside and that the quashal of the subject search warrants be rendered moot and academic on the basis of the dismissal of the criminal case.

In his Comment^[3] dated July 7, 2010, petitioner maintains that the motion is a mere reiteration of what respondents have previously alleged in their Comment and which have been passed upon by this Court in the subject decision. Petitioner alleges that he also filed with the Office of the City Prosecutor of Manila a Complaint for Qualified Theft against the respondents based on the same incidents and that should the Information for Qualified Theft be filed with the proper court, the items seized by virtue of the subject search warrants will be used as evidence therein.

On August 6, 2010, respondents filed their Reply.

On September 8, 2010, this Court issued a Resolution^[4] wherein respondents were required to submit a certified true copy of the Order of the RTC dated November 14, 2008, which granted their motion to withdraw the information.

On October 22, 2010, respondents complied with the Court's directive and submitted a certified true copy of the Order.^[5]