

## FIRST DIVISION

[ G.R. No. 165547, January 15, 2009 ]

**DEPARTMENT OF AGRARIAN REFORM, AS REPRESENTED BY ITS SECRETARY RENE C. VILLA, PETITIONER, VS. SARANGANI AGRICULTURE CO., INC., ACIL CORPORATION, NICASIO ALCANTARA AND TOMAS ALCANTARA, RESPONDENTS.**

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

**AZCUNA, J.:**

Respondents filed a motion for partial reconsideration of this Court's Decision of January 24, 2007, invoking this Court's ruling in *Roxas & Co., Inc. v. Court of Appeals*<sup>[1]</sup> and asking that they be served separate Notices of Coverage and Notices of Acquisition vis-à-vis the subject lands, apart from and in addition to the Notice of Deferment that this Court's Decision deemed sufficient and amounting to said Notices. To remove any and all doubts as to compliance with due process requirements in the projected acquisition of subject lands for agrarian reform, the Court **RESOLVES** to amend the dispositive portion of its aforesaid Decision to read as follows:

**WHEREFORE**, the petition is **PARTLY GRANTED**. Subject to the compliance with all requirements in connection with the giving of the Notices of Coverage and Notices of Acquisition as provided by law, the denial by the Department of Agrarian Reform (DAR) of respondents' application for conversion with regard to 154.622 [or 154.1622] hectares, the deferment period of which has already expired, is **AFFIRMED**. The Decision and Resolution, dated July 19, 2004 and September 24, 2004, respectively, of the Court of Appeals in CA-G.R. SP No. 79899, are hereby **MODIFIED** accordingly. The case is **REMANDED** to the Department of Agrarian Reform for further proceedings to properly effect the acquisition of the subject lands for distribution to the intended beneficiaries.

No costs.

**SO ORDERED.**

**IT IS SO ORDERED.**

*Puno, C.J., (Chairperson), Carpio, Corona, and Leonardo-De Castro, JJ., concur.*

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<sup>[1]</sup> G.R. No. 127876, December 17, 1999, 321 SCRA 106.

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