

THIRD DIVISION

[A.M. NO. RTJ-04-1867 (FORMERLY OCA I.P.I. NO. 03-1690-RTJ), February 17, 2005]

**METCHER BELLEZA AND ARSENIO BELLEZA, COMPLAINANTS, VS.
JUDGE BENEDICTO COBARDE, PRESIDING JUDGE OF THE
REGIONAL TRIAL COURT, BR. 53, LAPU-LAPU CITY,
RESPONDENT.**

R E S O L U T I O N

CORONA, J.:

In a verified complaint^[1] dated February 04, 2003, Metcher Belleza and Arsenio Belleza charged respondent Judge Benedicto G. Cobarde of the Regional Trial Court, Branch 53, Lapu-Lapu City, with delay in rendering judgment in SP. PROC. 241-L entitled *Appointment of Administrator and Settlement of the Estate of Deceased Teodoro Belleza* filed by Edevicito Belleza, Arsenio Belleza, Anita Belleza Villaver, Fe Belleza Daño, Metcher Belleza, Teresa Belleza and Rustico Belleza against Lugenita Belleza.^[2]

The complainants alleged that the aforementioned case had been submitted for decision as early as January 21, 1998 but, for almost five years, respondent did not take any action thereon. They averred that they were deprived of their shares as rightful heirs of the estate of their brother because of the long delay in the disposition of the case. They also questioned respondent judge's alleged collusion with Lugenita Belleza, the oppositor in the case, thus allowing the latter to enjoy the properties of the deceased as well as the fruits and benefits thereof. According to complainants, respondent Judge also refused to inhibit himself from hearing the case despite their dissatisfaction over his continued inaction on their case.^[3]

In his Comment^[4] dated April 14, 2003, Judge Cobarde did not deny the alleged delay but offered no justification for it. Instead, he apologized to the parties and manifested to the Court that he had anyway already rendered a decision on the subject case. Despite the admitted delay on his part, however, he denied any collusion with Lugenita Belleza. He stated that, in his ten years of service in the judiciary, he was never biased for or against any party in any case filed in his *sala*.^[5]

The Court referred the case to the Office of the Court Administrator (OCA) for investigation, report and recommendation. In a report^[6] dated August 8, 2003, the OCA found respondent judge liable for delay in rendering a decision in SP. PROC. 241-L. It likewise found respondent judge neglectful of his duties for allowing almost five years to lapse before resolving the subject case. The OCA thus recommended:

Respectfully submitted for the consideration of this Honorable Court is the recommendation that:

The respondent Judge Benedicto G. Cobarde of the Regional Trial Court, Branch 53, Lapu-Lapu City, be liable for undue delay in rendering a decision and impose upon him a FINE of Ten Thousand Pesos (P10,000), with a STERN WARNING that a repetition of the same offense will be dealt with more severely.^[7]

The Court is not oblivious to the heavy responsibilities of our judges. Very often, they must cope with heavy caseloads in addition to other tasks called for by their positions. Notwithstanding this awesome burden, however, they are not excused from performing the duties incumbent upon them. From the moment they take their oaths, they become beholden to the public and are expected to live up to the exacting standards of their exalted office.^[8]

This Court has constantly reminded judges of the need to resolve cases with dispatch. Any delay in the disposition of cases can easily undermine the people's faith and confidence in the judiciary, lower its standards and bring it to disrepute.^[9] The Constitution itself mandates lower court judges to decide a case within the reglementary period of 90 days.^[10] Likewise, the Code of Judicial Conduct enunciates that judges should administer justice without delay and directs every judge to dispose of the court's business promptly within the period prescribed by law and the rules.^[11] The Court has consistently emphasized strict observance of this duty in order to minimize, if not totally eradicate, the twin problems of congestion and delay that have long plagued our courts.^[12] Thus, any delay in the administration of justice, no matter how brief, deprives the litigant of his right to a speedy disposition of his case.

In numerous occasions, we have allowed reasonable extensions of time within which to resolve cases but such extensions must first be approved by this Court.^[13] Judges, by themselves, cannot extend the period for deciding cases beyond that authorized by law.^[14] In the case at bar, however, respondent judge never bothered to file any motion for extension of time. In fact, he himself stalled the disposition of the case, utterly unmindful of his obligations as prescribed by the Constitution and the rules. His conduct was compounded by the fact that he proffered no excuse for it. Respondent's indifference was a mockery of the laws and rules he himself ought to have been the first to uphold.

Under Section 9(1), Rule 140, as amended by A.M. No. 01-8-10-SC,^[15] of the Revised Rules of Court, undue delay in rendering a decision is classified as a less serious charge for which the penalty is suspension from office without salary and other benefits for not less than one nor more than three months, or a fine of more than P10,000 but not exceeding P20,000.^[16]

While we agree with the findings of the OCA, we are of the opinion, however, that the fine of P10,000 imposed on respondent judge is not commensurate to the unjustified delay of the case for almost five years.

WHEREFORE, respondent Judge Benedicto G. Cobarde is hereby fined P15,000 for