

## EN BANC

**[ A.M. NO. P-05-2055, December 09, 2005 ]**

**OFFICE OF THE COURT ADMINISTRATOR, COMPLAINANT, VS.  
PARIDA W. CAPALAN, UTILITY WORKER I, RESPONDENT.**

### DECISION

#### PER CURIAM:

This is an administrative case against Parida W. Capalan for dishonesty and falsification of official document.

The antecedents are as follows:

On June 21, 2004, Parida W. Capalan, Utility Worker 1, Regional Trial Court of Malabang, Lanao del Sur, Branch 12, was promoted and issued a permanent appointment as Clerk III in the same court.

However, the Civil Service Commission (CSC) disapproved the permanent appointment of Catalan on the ground that her name did not appear in the roster of eligibles.

In a letter dated October 14, 2004, Deputy Court Administrator Christopher O. Lock informed Capalan that her permanent appointment has been terminated due to its disapproval by the CSC on the ground that a verification of her alleged Career Service Professional Eligibility revealed that her name does not appear in the roster of eligibles. The Deputy Court Administrator also apprised Capalan that Christopher B. Lumbre, Jr., CSC Director III, Regional Office No. 10, Cagayan de Oro City, certified that the records of the Civil Service Commission showed that the test she took in Cagayan de Oro City on August 16, 2002 was a Career Service Subprofessional Examination and that her rating was a failing grade of 30.21%. Capalan was directed to cease and desist from performing her official duties in the court effective immediately.

In a Second Indorsement dated October 29, 2004, Court Administrator Presbitero J. Velasco, Jr. directed Capalan to comment on the letters<sup>[1]</sup> from the CSC regarding the disapproval of her appointment as Clerk III of the Regional Trial Court, Malabang, Lanao del Sur, Branch 12.

In her Comment dated December 1, 2004, Capalan moved for reconsideration of the disapproval of her permanent appointment as Clerk III, arguing that the disapproval was neither justified nor supported by the evidence. She maintained that she "personally took the Career Service (Professional) Examination – Computer Assisted Test held in Cagayan de Oro City on August 16, 2002 with a rating of 84.13%." She alleged that there could have been an erroneous entry of her rating, so that the rating given to her seven days after the examination was different from the one that

the CSC claimed to be in its record.

In February 2005, Capalan submitted a letter<sup>[2]</sup> attaching thereto a letter dated February 3, 2005 purportedly signed by Lourdes Clavite-Vidal, CSC Director IV, Regional Office No. 10, Cagayan de Oro City, which was addressed to the Court Administrator. The alleged letter of CSC Director Clavite-Vidal stated that upon verification in the Register of Eligibles, Capalan took the Civil Service Subprofessional Examination in Cagayan de Oro City on August 16, 2002 with a rating of 84.13%.

In her letter, Capalan declared that since there was no final resolution of her motion for reconsideration of the disapproval of her appointment, she continued to render service as Clerk III of the Regional Trial Court of Malabang, Lanao del Sur, Branch 12, until December 31, 2004, but she did not receive her salary and allowances for December 2004. She stopped reporting to office in January 2005 upon the advice and instruction of the Presiding Judge, until her appointment is reconsidered.

Catalan prayed that her disapproved appointment be reconsidered; that any complaint or administrative charge filed against her be dismissed; that she be reinstated to her position; and, that her salaries and allowances from December 2004 until the present be released to her.

In a letter dated March 17, 2004, the Court Administrator sought clarification from CSC Director Lourdes Clavite-Vidal on the two letters issued by CSC, Regional Office No. 10, Cagayan de Oro City, which contained conflicting information on the eligibility of Capalan. The first letter, dated August 26, 2004, addressed to Mr. Arturo SJ Panaligan of the CSC-GSIS/SCP Field Office in Manila and signed by Christopher B. Lumbré, Jr., stated that Parida W. Capalan got a failed rating of 30.21% in the Masterlist of the Career Service Subprofessional Examination and that the attached Certificate of Eligibility of Capalan was fake. The second letter, dated February 3, 2005, signed by CSC Director Lourdes Clavite-Vidal and addressed to Court Administrator Presbitero J. Velasco, Jr., stated otherwise, that is, that Parida W. Capalan passed the Career Service Subprofessional Examination conducted on August 16, 2002 with a rating of 84.13%.

On April 20, 2005, CSC Director Lourdes Clavite-Vidal replied to the query of the Court Administrator, thus:

. . .

We have verified Ms. Capalan's Subprofessional eligibility and found it to be fake. She got only 30.21 in the Career Service Subprofessional examination (Computer Assisted Test) given at the CSC-10 Regional Office on August 16, 2002. The letter signed by Christopher B. Lumbré, Jr., Director III of this office regarding Ms. Capalan's eligibility is authentic.

Please be informed that all verification process emanates from the CSC Field Office where the appointments of proposed appointees are processed. Results of verifications are sent directly to the requesting Field Director who is Arturo S. Panaligan in this particular case.