

## **SECOND DIVISION**

**[ A.M. No. MTJ-02-1434, July 02, 2002 ]**

**TIERRA FIRMA ESTATE AND DEVELOPMENT CORPORATION,  
COMPLAINANT, VS. JUDGE EDISON F. QUINTIN, PRESIDING  
JUDGE, METROPOLITAN TRIAL COURT, BRANCH 56, MALABON,  
METRO MANILA, RESPONDENT.**

### **D E C I S I O N**

**MENDOZA, J.:**

This is a complaint filed against Judge Edison F. Quintin, Presiding Judge of the Metropolitan Trial Court, Branch 56, Malabon, Metro Manila, for failure to decide Civil Case No. JL00-026, entitled "Tierra Firma Estate & Development Corporation v. Consumer Commodities International, Inc.," within 30 days after it was submitted for decision, as required under Rule 70, §9 of the Revised Rules of Civil Procedure and the Rule on Summary Procedure.

It appears that on September 14, 2000, a complaint for unlawful detainer was filed by complainant against Consumer Commodities International, Inc. in the Metropolitan Trial Court of Malabon, Metro Manila, where it was docketed as Civil Case No. JL00-026. After the defendant had filed its answer, the case was set for preliminary conference on December 7, 2000. Despite due notice, the defendant did not appear. Consequently, respondent judge considered the case submitted for decision. However, notwithstanding the motions for the early resolution of the case filed by complainant on March 2, 2001 and March 22, 2001, judgment was not rendered in the case until July 10, 2001.

Respondent judge claims as reasons for his delay in rendering a decision in the case that he has a heavy caseload resulting from the expanded jurisdiction of the Metropolitan Trial Courts; that he also had to preside over the Metropolitan Trial Court of Navotas, Branch 54, as acting judge thereof since March 15, 1999; and that, as a result of a fire which destroyed the courthouse in July 2000, he had to hold proceedings in his original station in a single cramped room with no partitions and with the barest of facilities.

Complainant claimed in his Reply to the Comment that there are no intricate questions of fact and of law that would justify the delay of 210 days and that respondent judge tolerated dilatory tactics by the defendant by entertaining motions which are prohibited under Rule 70, §13 of the Revised Rules of Civil Procedure.

The Court Administrator submitted the following report on April 2, 2002:

EVALUATION: We find merit in this complaint and primarily recommend that this case be re-docketed as a regular administrative complaint.

"Formal investigation of charges is unnecessary where the records of the

case sufficiently provide basis to determine the judge's liability or lack of it." (*Montemayor vs. Collado*, 107 SCRA 258)

Records show that Civil Case No. JL-00-026 for Unlawful Detainer was submitted for decision in an Order dated December 7, 2000 and a decision was rendered thereon only on July 10, 2001, or a period of more than 200 days after submission in violation of Sec. 11, Rule 70 of the 1997 Rules of Civil Procedure. It was also noted that respondent entertained a prohibited pleading, i.e., motion for reconsideration, which was set for hearing on May 4, 2001 and eventually denied on June 19, 2001, in violation of part. 3, Sec. 13 of the same Rules.

Failure to decide a case within the required period is not excusable and constitutes gross inefficiency. (*Ancheta v. Antonio*, 231 SCRA 74)

RECOMMENDATION: ACCORDINGLY, it is respectfully recommended that:

- (a) this case be RE-DOCKETED as a regular administrative matter;
- (b) respondent judge be held liable for inefficiency and REPRIMANDED with a stern WARNING that a repetition of the same or similar act(s) could be dealt with more severely.<sup>[1]</sup>

After a review of the records of this case, the Court finds the recommendation of the Office of the Court Administrator to be well taken.

Actions for forcible entry and unlawful detainer are governed by the Rule on Summary Procedure, which was designed to ensure the speedy disposition of these cases. Indeed, these cases involve perturbation of the social order which must be restored as promptly as possible.<sup>[2]</sup> For this reason, the speedy resolution of such cases is thus deemed a matter of public policy.<sup>[3]</sup>

In this case, Civil Case No. JL00-026 was submitted for decision on December 7, 2000. However, respondent judge rendered his decision only on July 10, 2001, or 215 days after the case was submitted for decision, way beyond the 30-day period provided in Rule 70, §9 of the Revised Rules of Civil Procedure. Likewise, §11 of the same rule provides that the court shall render judgment within 30 days after receipt of the affidavits and position papers, or the expiration of the period for filing the same.

Respondent judge blames his heavy caseload on the fact that the jurisdiction of the Metropolitan Trial Courts has been expanded and he was an acting judge of another sala. But, as this Court has ruled in several cases, the designation of a judge to preside over another sala is an insufficient reason to justify delay in deciding a case. This is because he is not precluded from asking for an extension of the period within which to decide a case if this is necessary.<sup>[4]</sup> What respondent judge appears to overlook is that the delay in the disposition of the case is due in part to the fact that he entertained motions,<sup>[5]</sup> some of which are prohibited by the Rule on Summary Procedure, filed by the defendant which further protracted the resolution of the