

FIRST DIVISION

[G.R. No. 136768, December 17, 2002]

**HUGO ADOPTANTE, PETITIONER, VS. COURT OF APPEALS AND
PEOPLE OF THE PHILIPPINES, RESPONDENT.**

DECISION

YNARES-SANTIAGO, J.:

This is a petition^[1] for review assailing the decision^[2] dated May 15, 1998 of the Court of Appeals, which affirmed the orders^[3] of the Regional Trial Court of Nasugbu, Batangas, Branch 14, in Civil Case No. 191, citing petitioner Hugo Adoptante in contempt of court.

It appears from the records that Felisa Abellera was the owner of a parcel of agricultural land with an area of 11,532 square meters, situated at Sitio Calumpit, Barangay Prenza, Lian, Batangas. Sometime in 1971, Abellera leased to petitioner Hugo Adoptante the one-half southern portion of the land for sugarcane production under agricultural tenancy, while she retained the northern half portion for her personal cultivation reserved for palay production.

On June 2, 1974, Abellera filed with the now defunct Court of Agrarian Relations in Lipa City a complaint for ejectment against petitioner, docketed as CAR Case No. 1668. She alleged that petitioner caused to harvest and mill the sugarcane crop of 1973-1974 without her consent, to her damage and prejudice. On June 18, 1982, the CAR decided in Abellera's favor and ordered petitioner to vacate the southern half portion of the land, thus:

WHEREFORE, judgment is hereby rendered:

1. Ordering the defendant to vacate the landholding in question containing an area of one and one-half hectares (1 ½), more or less, situated at Sitio Calumpit, Prenza, Lian, Batangas, and to restore the physical possession thereof to the plaintiff;
2. Ordering the defendant to pay to the plaintiff the sum of two thousand pesos (P2,000.00) by way of attorney's fees;
3. Dismissing all other claims and counterclaims of both parties for insufficiency of evidence;
4. Ordering the defendant to pay the costs of suit.^[4]

Petitioner appealed to the Court of Appeals, which affirmed the decision of the CAR. After the same became final and executory, a writ of execution was issued on December 27, 1989.

Subsequently, on August 18, 1981, Abellera filed another complaint against petitioner with the Regional Trial Court of Balayan, Batangas, Branch 10, praying for the determination of farm tenancy over the northern portion of the subject landholding. The complaint was docketed as CAR Case No. 2308. Abellera alleged that sometime in 1973, petitioner forcibly entered into the said northern portion of the land and cultivated the same without complainant's knowledge and consent.

On January 27, 1986, the Regional Trial Court rendered its decision in favor of Abellera, decreeing as follows:

WHEREFORE, judgment is hereby rendered:

1. Declaring plaintiff as the landowner of the parcel of land described in the complaint;
2. Declaring the non-existence of tenancy relationship between plaintiff and the defendant over the one-half (1/2) northern portion of the said parcel of land and ordering his ejectment therefrom;
3. Ordering the defendant to deliver to the plaintiff thirty (30) cavans of palay from 1971 and every year thereafter until he vacates the premises or the equivalent value thereof computed in accordance with the government's price support for palay with legal rate of interest per annum from the filing of the complaint until said sum is fully paid.
4. Ordering the defendant to pay to the plaintiff the sum of TWO THOUSAND (P2,000.00) PESOS as attorney's fees;
5. All other claims are denied from paucity of evidence.

IT IS SO ORDERED.^[5]

Petitioner appealed to the Court of Appeals, which affirmed the aforequoted decision. On November 21, 1987, the judgment attained finality and entry of judgment was made on December 14, 1987. On May 25, 1989, the court of origin issued an alias writ for the execution of the said judgment.

Pursuant to the writs of execution issued by the trial court, the landholding subject of the controversy was turned over to Abellera, as evidenced by Certificate of Turnover dated February 1, 1990.

On February 26, 1990, Abellera filed an action to cite and declare petitioner in contempt of court on the ground that the latter, in conspiracy with other persons, re-entered the property in question and, through threats and intimidation, prevented Abellera's workers from entering the same, in disregard of the decisions and writs of the trial court. The case was docketed as Civil Case No. 191 of the Regional Trial Court of Balayan, Batangas, Branch 14.

On February 5, 1991, the trial court rendered its decision finding petitioner in contempt of court and imposing upon him a fine of P500.00 with a warning that further disobedience to the court's order may warrant a higher fine and imprisonment. Notwithstanding the decision, petitioner refused to vacate the landholding. Thus, he was again declared guilty of contempt of court on August 7, 1991 and sentenced to ten (10) days of imprisonment with a warning that a further