

## THIRD DIVISION

**[ A.M. No. 01-2-47-RTC, August 09, 2001 ]**

**RE: REPORT ON THE JUDICIAL AUDIT CONDUCTED IN THE RTC-  
BR. 26, MANILA, PRESIDED BY JUDGE GUILLERMO L. LOJA.**

### D E C I S I O N

**GONZAGA-REYES, J.:**

Pursuant to the Court's policy of conducting judicial audit of all cases pending before the sala of retiring judges, the Office of the Court Administrator (OCA) conducted a judicial audit and physical inventory of cases in the Regional Trial Court, Branch 26, Manila. Presiding Judge Guillermo Loja was due for compulsory retirement on June 27, 2001.

The audit team found a total caseload of 509 consisting of 275 criminal cases and 234 civil cases (exclusive of decided, archived, dismissed and suspended cases) based on the records actually presented to and examined by them. The audit team did not have difficulty in auditing the court since it was "properly managed." However, listed in its report are twenty-four (24) civil cases which were submitted for decision but were not decided within the reglementary period. Nineteen (19) civil cases were likewise unacted upon for a considerable length of time, namely:

99-95440	98-89943	00-96311	99-95496
99-92546	98-86948	99-93490	97-84766
99-93599	99-95760	97-84333	92-63279
97-82876	99-95095	00-98038	98-91743
98-91827	00-96543	97-82263	

In the Resolution dated March 5, 2001, respondent Judge Loja was required to explain in writing why no administrative sanction should be imposed upon him for failure to decide/resolve the aforementioned civil cases within the reglementary period and to inform this Court, through the Office of the Court Administrator, whether or not these cases have already been decided/resolved and to submit copies of the decisions/resolutions. Respondent Judge was likewise directed to take appropriate action on the above-listed cases which were unacted upon for a considerable length of time.

On April 18, 2001, Respondent Judge, in compliance with the Resolution of March 5, 2001, submitted his explanation stating that he had faithfully resolved/decided the cases mentioned in the resolution, except for four (4) cases which remained unacted upon, to wit:

CASE NO.	TITLE
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1. 82-02375	Allied Banking vs. Northern
2. 83-18026	de Vera vs. PANELCO
3. 86-34187	Mla House vs. BSP
4. 93-65968	Ong vs. Romero

Respondent Judge Loja further stated that aside from the fact that three (3) of these four (4) cases were inherited from his immediate predecessor (now retired Justice Corona Ibay Somera) who was promoted to the Court of Appeals, incomplete transcript of stenographic notes hampered respondent's timely disposal of these cases and that some of the stenographers had already transferred to other offices.

The following is the tabulation of the findings of the audit team and the comment of respondent Judge Loja:

Case No.	Parties	Submitted	Due	Decided	Remarks
1.98-91084	Villasenor v. Arranz	12-11-98	03-11-98	01-31-01	Delay of 1yr 10mos+
2.97-81695	Domingo v. Moran	06-08-00	09-06-00	09-01-00	<b>No delay</b>
3.98-90177	Pono v. Pono	04-02-00	07-01-00	07-03-00	Delay of 1 day
4.99-93844	Sanchez v. Sanchez	05-04-00	08-02-00	10-11-00	Delay of 2mos.+
5.98-90929	Cruz	07-14-00	10-12-00	11-06-00	Delay of 23 days
6.82-02375	Allied Banking v. Northern Mindanao	06-23-96	09-21-96	<b>Not yet decided</b>	Delay of 4yrs. 9mos.+ Partly tried
7.93-65968	Ong v. Romero	03-08-96	06-06-96	<b>Not yet decided</b>	Delay of 4 yrs.+ <b>Partly tried</b>
8.85-33911	Camacho v. Pilipinas Shell	03-13-92	06-11-92	10-16-00	Delay of 8yrs. 4mos.+ <b>Inherited</b>
9.83-18026	De Vera v. Pangasinan	03-03-94	06-01-92	<b>Not yet decided</b>	Delay of 8yrs.3mos.+ <b>Partly tried</b>
10.98-90755	Pac-Atlantic v. Bumwoo Phil.	07-03-00	10-1-00	10-30-00	Delay of 29 days.
11.95-73098	Marasigan v. Collera	05-26-00	08-24-00	08-10-00	<b>No delay</b>
12.95-73942	Manas v. Arungayan	04-21-00	07-20-00	01-09-01	Delay of 5mos.+
13.99-92780	Valdez v. Malone	07-02-99	9-30-99	12-11-00	Delay of 1yr. 2mos+
14.98-91963	Adriatico v. Leynes	08-06-00	11-04-00	12-14-00	Delay of 1mo.+
15.99-	Bitangcor v.	03-10-00	06-8-00	06-07-00	<b>No delay</b>