423 Phil. 67

FIRST DIVISION

[G.R. No. 133547, December 07, 2001]

HEIRS OF ANTONIO PAEL AND ANDREA ALCANTARA AND CRISANTO PAEL, PETITIONERS, VS. COURT OF APPEALS, JORGE H. CHIN AND RENATO B. MALLARI, RESPONDENTS.

[G.R. No. 133843]

MARIA DESTURA, PETITIONER, VS. COURT OF APPEALS, JORGE H. CHIN AND RENATO MALLARI, RESPONDENTS.

RESOLUTION

YNARES-SANTIAGO, J.:

For resolution are the Motions for Reconsideration of our Decision dated February 10, 2000, filed by petitioners Heirs of Antonio Pael, Andrea Alcantara and Crisanto Pael in G.R. No 133547, and petitioner Maria Destura in G.R. No 133843 Likewise, the University of the Philippines filed a motion for intervention.

It is at once apparent that no new issues are raised in the motions for reconsideration. The arguments presented are a mere rehash of what have been said and reiterated in the pleadings, all of which have been considered and found without merit in the Decision now assailed.

Be that as it may, it bears reiterating that the title of PFINA Properties, Inc., Transfer Certificate of Title No. 186662, was irregularly and illegally issued. As such, the reinstatement of the titles of private respondents was proper and did not constitute a collateral attack on the title of PFINA. It should be recalled that the transfer of title from the Heirs of Pael in favor of PFINA was replete with badges of fraud and irregularities which rendered nugatory and inoperative the existing doctrines on land registration and land titles. More important, the Heirs of Pael had earlier disposed of their rights. There was nothing to transfer to PFINA. The transfer was not only fictitious, it was void.

PFINA claims that it acquired the properties from the Heirs of Pael by virtue of a deed of assignment dated January 25, 1983, hence, it filed a motion to intervene before the Court of Appeals. It is worthy to note, however, that before it filed its motion for intervention, or for a long period of fifteen (15) years, PFINA and the Heirs of Pael were totally silent about the alleged deed of assignment. No steps were taken by either of them to register the deed or secure transfer certificate of title evidencing the change of ownership during this long period of time.

Furthermore, at the time PFINA acquired the disputed properties in 1983, its corporate name was PFINA Mining and Exploration, Inc., a mining company which had no valid grounds to engage in the highly speculative business of urban real

estate development.

Both the decisions of the Court of Appeals and this Court show that the alleged transfer in 1983 was not only dubious and fabricated; it could produce no legal effect. As stated above, the Paels were no longer owners of the land they allegedly assigned.

In the Decision, we affirmed the factual findings of the Court of Appeals because they are amply supported by the evidence on record. Well established is the rule that if there is no showing of error in the appreciation of facts by the Court of Appeals, this Court treats them as conclusive. The conclusions of law which the Court of Appeals drew from those facts are likewise accurate and convincing.

Insofar as the original parties in G.R. Nos. 133547 and 133843 are concerned, the motions for reconsideration are, therefore, denied with finality. No further pleadings from them will be entertained.

During the pendency of the motions for reconsideration, the University of the Philippines filed a motion for intervention, alleging that the properties covered by TCT No. 52928 and No. 52929 in the name of respondents Chin and Mallari form part of the vast tract of land that is the U.P. Campus, which is registered in the name of U.P. under TCT No. 9462. Therefore, any pronouncement by this Court affecting the properties would create a cloud over U.P.'s title, for which reason it had a right to intervene in these proceedings.

While as a rule, the intervention of a new party at this late stage should no longer be allowed, there is in the cases at bar an inescapable issue waiting to be resolved, and which issue can be taken up herein without the necessity of separate proceedings.

In *Director of Lands vs. Court of Appeals,*[1] this Court stated:

> But Rule 12 of the Rules of Court like all other Rules therein promulgated, is simply a rule of procedure, the whole purpose and object of which is to make the powers of the Court fully and completely available for justice. The purpose of procedure is not to thwart justice. Its proper aim is to facilitate the application of justice to the rival claims of contending parties. It was created not to hinder and delay but to facilitate and promote the administration of justice. It does not constitute the thing itself which courts are always striving to secure to litigants. It is designed as the means best adopted to obtain that thing. In other words, it is a means to an end.
>
> The denial of the motions for intervention arising from the strict application of the rule due to alleged lack of notice to, or the alleged failure of, movants to act seasonably will lead the Court to commit an act of injustice to the movants, to their successors-in-interest and to all purchasers for value and in good faith and thereby open the door to fraud, falsehood and misrepresentation, should intervenors' claims be proven to be true. For it cannot be gainsaid that if the petition for reconstitution is finally granted, the chaos and confusion arising from a situation where the certificates of title of the movants covering large