

THIRD DIVISION

[G.R. No. 131099, July 20, 1999]

**DOMINGO CELENDRO, PETITIONER, VS. COURT OF APPEALS AND
LEONILA VDA. DE GUEVARRA, RESPONDENTS.**

D E C I S I O N

PANGANIBAN, J.:

An administrative agency has no authority to review the decisions, let alone final decisions, of courts. The remedy of the losing litigant is to appeal to the proper court, not to file a petition before a quasi-judicial body.

Statement of the Case

The Petition for Review on *Certiorari* before us assails the September 25, 1997 Decision^[1] of the Court of Appeals,^[2] which nullified the November 3, 1994^[3] Decision of the Department of Agrarian Reform Adjudication Board (DARAB).^[4] The Court of Appeals disposed as follows:

"WHEREFORE, judgment is hereby rendered giving due course to the petition. The assailed decision of public respondent is nullified.

"[Herein petitioner is] hereby ordered to vacate that portion of land occupied by him and restore possession thereof to [herein private respondent]."

On the other hand, the DARAB ruled:

"WHEREFORE, premises considered, the decision of the Regional Adjudicator dated October 10, 1990 is AFFIRMED.

"Order is hereby given to Respondent-Appellant not to disturb Petitioner-Appellee in his peaceful possession of the landholding in controversy which is covered by Certificate of Land Ownership Award numbered 00018282-Original Certificate of Title No. CLOA -651 issued in favor of Plaintiff-Appellee."

In effect, the DARAB set aside the final and executory Decision of the Municipal Circuit Trial Court (MCTC) of Wao, Bumbaran, Lanao del Sur^[5] in Civil Case No. 50^[6] and the September 28, 1987 judgment^[7] of the Regional Trial Court (RTC) of Lanao del Sur affirming the MCTC.

The Facts

As summarized by the Court of Appeals, the undisputed facts of the case are as follows:

"[Private respondent] is the surviving spouse of the late Florencio Guevarra, an awardee of Lot No. 725 PLS, which contains an area of 7.7594 hectares, situated in Barrio Kapinisan, Municipality of Wao, Lanao del Sur. On the basis of a Homestead Patent No. 01418, Original Certificate of Title No. PAF-136 was issued to [private respondent's] late husband, who had been paying taxes due thereon until he died and was succeeded by herein [private respondents].

"In 1963, [petitioner] arrived in Wao, Lanao del Sur coming from Bukidnon Settlement Project, who occupied and tilled two (2) hectares of [private respondent's] property through the latter's tolerance, with the express condition that if and when that portion of the land should be needed by [private respondent], the latter needed only to demand xxx its return.

"After the death of [private respondent's] husband in 1975, [private respondent] started to demand [petitioner's] eviction, but due to the latter's request for extension, [petitioner] was allowed to stay in said property and till the same. Until finally, on March 15, 1992 [private respondent] wrote a formal demand to vacate the property and restore possession to the [private respondent]. When said demand remained unheeded, a case for unlawful detainer was commenced by petitioner before the Municipal Circuit Trial Court of Wao, Lanao del Sur against [petitioner] docketed therein as Civil Case No. 50.

"During the pendency of said Civil Case No. 50, [private respondent] filed [in the] MCTC a `Motion for Referral' of subject dispute to the DAR agency, which motion was denied (Annex `A', petition; pp. 13-18, rollo) on the ground that there was no landlord-tenant relationship between the parties and that the subject lot [was] no longer part of the resettlement area in view of the issuance by the government of title. Said MCTC rendered its decision, the decretal portion of which reads:

`WHEREFORE, judgment is hereby rendered in favor of the plaintiff:

- a. Declaring the plaintiff as entitled to the restitution of the portion of land occupied by the defendant shown and defined under Exhibit `6' having an area of 4 hectares more or less;
- b. Ordering the defendant Domingo Celendro to vacate said portion and restore possession thereof unto the plaintiff;
- c. Ordering the defendant to pay to the plaintiff the sum of One Thousand (P1,000.00) pesos as rent per annum effective March 15, 1982, the date when the complaint was filed and to pay such amount every year thereafter until plaintiff shall have been placed in possession of the lot in controversy;

The defendant however shall be entitled to indemnity from the plaintiff for the reasonable value of such plants as said

defendant had introduced into the disputed portion such as coffee, coconut, jackfruit trees, paminta, lanzones, banana, plants, and other permanent plants.

With costs against the defendant.'

(pp. 41-42, *Rollo*)

Said decision of the MCTC was appealed to the Regional Trial Court of Lanao del Sur, Branch 9, Marawi City, which court affirmed the appealed decision on September 28, 1987 (pp. 43-46, *rollo*). A subsequent writ of execution of the decision was issued on January 16, 1990.

"Upon learning of the issuance of a writ of execution, private respondent filed a 'Petition to Quiet Title' before the Provincial Adjudication Board (PACB), which office rendered a decision dated October 10, 1990 in favor of private respondent, the dispositive portion of which is hereunder produced:

'WHEREFORE, in view of the foregoing considerations, the respondent is ordered to desist permanently from disturbing the peaceful ownership by the petitioner/complainant over the land which is the subject of controversy[,] to restore the premises including the improvements thereon to the petitioner/complainant in attending at the hearing/conference at the DARAB Office, Marawi City. No attorney's fees may be awarded because, Atty. Dimapuno L. Magangoong, who is a Trial Attorney III of the DAR, Lanao del Sur acted as his counsel.

'The MARO of Wao, Lanao de Sur, DAR Legal Officer, the Station Commander PC/INP, Wao, Lanao del Sur, are hereby deputized to implement this decision. A full report shall be submitted by the deputized officials upon accomplishment of the implementation of this decision.

'SO ORDERED.'

(p. 84, *Rollo*)

"[Private respondent] questioned said decision rendered by the PAAB before [the] Agrarian Reform Adjudication Board (DARAB), which affirmed PAAB's decision, which was earlier reproduced.

"[Private Respondent's] subsequent Motion for Reconsideration was denied by [the DARAB] in its resolution of August 8, 1996 (p. 97, *rollo*)."

[8]

As earlier noted, the Court of Appeals reversed the DARAB. Hence, petitioner filed this recourse to this Court.[9]

Ruling of the Court of Appeals