

FIRST DIVISION

[A.M. No. P-97-1234, August 18, 1997]

**CRISTETA ORFILA, COMPLAINANT, VS. RONA S. QUIROZ,
STENOGRAPHER III, RTC-BR. 18, MANILA, RESPONDENT.**

D E C I S I O N

PADILLA, J.:

This administrative matter arose from the undated letter-complaint of Cristeta Orfila, Utility Worker, Regional Trial Court, Branch 18, Manila, charging Rona Quiroz, Stenographer III, same court, with habitual tardiness and loafing around during office hours. It was alleged that respondent Quiroz frequently leaves the office during office hours without permission from her immediate superior or from the presiding judge of said court.

On 9 October 1996, Deputy Court Administrator Reynaldo L. Suarez, by way of 1st Indorsement, referred the matter to Judge Perfecto A.S. Laguio, Jr. for Comment and Recommendation, the same being within his authority as judge of RTC , Branch 18, Manila. Acting thereon, Judge Laguio issued a memorandum directing respondent Quiroz to submit her comment on the charges against her.

In her comment, respondent Quiroz denies the charges against her stressing that her daily time record will show that she has been regularly reporting for work. She claims that she has been performing "diligently and devotedly all the tasks assigned to her" which include transcribing her stenographic notes and typing court orders and decisions. She avers that the instant administrative complaint was filed by complainant Orfila against her merely in retaliation for the administrative complaint that she (respondent Quiroz) had earlier filed against herein complaint.

On 5 November 1996, Judge Laguio conducted a hearing during which complainant and respondent testified and adduced evidence to support their respective allegations. On 8 November 1996, respondent Quiroz furnished Judge Laguio with a copy of her supplemental comment dated 7 November 1996 which she filed with the Office of Court Administrator Alfredo L. Benipayo.

Thereafter, Judge Laguio submitted his report dated 6 December 1996 stating that:

"After a careful consideration of the testimonies of the complainant and the respondent, the undersigned Judge is inclined to believe the complainant. The fact that the complainant filed the complaint against the respondent in retaliation for the latter's filing an administrative complaint against the former, is not detrimental to the complainant's credibility, having in mind the probabilities of her allegations and respective characters of the two protagonists. On many occasions during the periods in question, the undersigned had called the respondent to take some dictation, but she was not around, and the undersigned had