

THIRD DIVISION

[G.R. No. 110296, October 30, 1996]

**MID-PASIG LAND DEVELOPMENT CORPORATION, REPRESENTED
BY THE PRESIDENTIAL COMMISSION ON GOOD GOVERNMENT,
PETITIONER, VS. SANDIGANBAYAN, AND RICARDO C. SILVERIO
FOR AND IN BEHALF OF ANCHOR ESTATE CORPORATION,
RESPONDENTS.**

R E S O L U T I O N

PANGANIBAN, J.:

This case involves an adverse claim of ownership over 18.2 hectares of land located in Ortigas Center, Pasig City which Jose Y. Campos -- as nominee of former President Ferdinand Marcos -- turned over to the government.

On September 21, 1992, Ricardo C. Silverio filed a complaint docketed as Civil Case SB No. 0147 with the Sandiganbayan against the Presidential Commission on Good Government, Asset Privatization Trust, Mid-Pasig Land Development Corporation and Ortigas and Company Limited.

Said complaint alleged that on or about May 31, 1968, Anchor Estate Corporation purchased from Ortigas and Company Limited Partnership a 16-hectare parcel of land located in Pasig, Metro Manila for P6,400,000.00. However, on August 10, 1971, title to the property was transferred in favor of Mid-Pasig Land Development Corporation, instead of to Anchor. Later, thru a Deed of Transfer dated December 9, 1974, an additional 2.4 hectares was likewise sold by Ortigas to Mid-Pasig. Thus, Transfer Certificate of Title Nos. 337158 (for the 16-hectare lot) and 469702 were issued in the name of Mid-Pasig, to the prejudice of Anchor. Shortly after the February 1986 revolution, Jose Y. Campos, the then president and majority stockholder of both Anchor and Mid-Pasig turned over control of Anchor and Mid-Pasig as well as the two aforesaid certificates of title to the Presidential Commission on Good Government, on the ground that he and the other shareholders controlling 70% of Anchor were acting and holding said shares as nominees of former President Ferdinand E. Marcos. Silverio, who is allegedly the "actual beneficial and legal owner" of the balance of 30% in said company (Anchor), thus claims to have been prejudiced by such "fraudulent" cession of the two parcel of land totalling 18.2 hectares which are now valued in the billions of pesos, they being situated within the Ortigas Center in Pasig City. Thus, the complaint prayed for the reconveyance of said property to Silverio and/or Anchor, plus the payment of damages and attorney's fees.

On December 14, 1992, Ricardo Silverio filed a "Motion to Declare Mid-Pasig in Default" on the ground of failure to file its answer to the complaint. Subsequently, Silverio filed an Amended Complaint dated January 18, 1993. On February 17, 1993 the PCGG filed before the trial court its "Comment/opposition" to the motion to