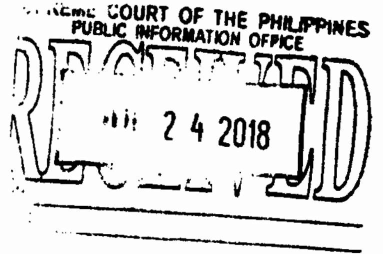

Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

REPUBLIC OF THE PHILIPPINES,
Petitioner,

- *versus* -

LAKAMBINI C. JABSON, PARALUMAN C. JABSON, MAGPURI C. JABSON, MANUEL C. JABSON III, EDGARDO C. JABSON, RENATO C. JABSON, NOEL C. JABSON, and NESTOR C. JABSON, represented by LAKAMBINI C. JABSON, Attorney-in-Fact,
Respondents.

G.R. No. 200223

Present:

LEONARDO-DE CASTRO,* *J.*,
Acting Chairperson,
BERSAMIN,**
DEL CASTILLO,
TIJAM,*** and
GESMUNDO, *JJ.*

Promulgated:

JUN 06 2018

x - x

DECISION

LEONARDO-DE CASTRO, *J.*:

Before the Court is a petition for review on *certiorari* under Rule 45 of the Rules of Court, as amended, seeking to reverse and set aside the Amended Decision[1] dated November 4, 2010 and Resolution[2] dated December 26, 2011 of the Court of Appeals in CA-G.R. CV No. 82986 entitled, "*Lakambini C. Jabson, Paraluman C. Jabson, Marpuri C. Jabson, Manuel C. Jabson III, Edgardo C. Jabson, Renato Jabson, Noel C. Jabson, and Nestor C. Jabson, represented by Lakambini C. Jabson, Attorney-in-Fact.*" The Court of Appeals affirmed the Decision[3] dated October 28, 2003 of the Regional Trial Court (RTC), Branch 161, Pasig City in LRC Case No. N-11402 entitled, "*Re: Application for Registration of Title Lakambini C.*

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* Per Special Order No. 2559 dated May 11, 2018.

** Per Raffle dated February 26, 2018.

*** On official leave.

[1] *Rollo*, pp. 43-50; penned by Associate Justice Magdangal M. de Leon with Associate Justices Fernanda Lampas Peralta and Ramon R. Garcia concurring.

[2] Id. at 51-52.

[3] Id. at 76-81; penned by Judge Alicia P. Mariño-Co.

Jabson, et al., Applicants, Represented by: Lakambini C. Jabson, Attorney-in-Fact."[4]

Factual Antecedents

On February 17, 1999, siblings Lakambini, Paraluman, Tala, and Magpuri together with Manuel III, Edgardo, Renato, Noel, and Nestor representing their father, Manuel, Jr., all surnamed Jabson (respondents Jabson), filed for the second time an Application for Registration of Title[5] (Application) before the Regional Trial Court (RTC), Branch 161, Pasig City docketed as LRC Case No. N-11402. Their first attempt to have the subject properties registered in their names was denied by then Court of First Instance in 1978 "for failure of the applicants to comply with the recommendation of the then Land Registration Commission to include in their application the complete names and postal addresses of all the lessees occupying the lands sought to be registered."[6]

The RTC narrated the facts leading to the application's filing, *viz.*:

> There are two parcels of land being applied for registration—one is located at Barrio San Jose, Pasig City, and the other is situated in Barangay Bagong Katipunan, Pasig City. Both used to form part of seven parcels of land owned and possessed by the Jabson family as early as 1909. Each and every applicant herein claims undivided share and participation as follows: Lakambini C. Jabson—1/5; Paraluman Jabson—1/5; Magpuri Jabson—1/5 & Tala J. Olega—1/5; Manuel III, Edgardo, Renato, Noel & Nestor Jabson as legal heirs of their father Manuel Jabson, Jr.—1/5.
>
> Sometime in 1978, applicants had already applied for registration of the same parcels of land. However, said previous application docketed as LRC No. 9572 was dismissed by the CFI of Rizal, Branch 11, as per Order dated 29 December 1978 for failure of the applicants to comply with the recommendation of the then Land Registration Commission to include in their application the complete names and postal addresses of all the lessees occupying the lands sought to be registered.
>
> The first parcel of land (or the San Jose property) consists of Lots 1, 2 and 3 with a total area of 1,344 square meters and is covered by verified survey plan PSU-233559. x x x
>
> The second parcel of land (or the Bagong Katipunan property) sought to be registered consists of Lots 26346 and 26347, with a total area of 3,024 square meters and is covered by verified survey plan AP-00-000399.[7] x x x (Citations omitted.)

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4 Rolando T. Reyes, Oppositor; Leonida H. Jabson, Leonardo B. Suque, Reggie S. Reyes, and Lourdes B. Sisik, Oppositors; and Republic of the Philippines, Oppositor.

5 Records, pp. 30-38.

6 *Rollo*, p. 77.

7 Id. at 77-78.

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Respondents Jabson acquired the San Jose and Bagong Katipunan properties via inheritance and purchase from their predecessors-in-interest. At the time of filing, it is not disputed that Lakambini, Paraluman, and Magpuri have already built their residences on the San Jose property, with remaining portions of the land occupied by third parties either thru lease or applicants' mere acquiescence. As to the Bagong Katipunan property, respondents Jabson alleged that they have leased portions of it to various third parties who have been paying rentals thereon.[8]

Decision of the RTC

In its Decision dated October 28, 2003, the RTC ruled in favor of respondents Jabson, *viz.*:

> WHEREFORE, the verified application for registration of title of the subject lots filed by the applicants Lakambini, Paraluman, Magpuri, Manuel III, Edgardo, Renato, Noel and Nestor, all surnamed Jabson, and Tala J. Olega is hereby GRANTED.
>
> Upon this decision becoming final, let the corresponding decree of registration be issued to herein applicants.[9]

The RTC found that respondents Jabson acquired the properties from their predecessors-in-interest who, in turn, have possessed the same since time immemorial. Upon acquisition, respondents Jabson possessed the parcels of land for more than 30 years in an open, continuous, exclusive, and notorious manner, and in the concept of an owner. Moreover, their title was never disputed by other persons occupying the land. Thus, the RTC ruled that respondents Jabson satisfactorily proved and established their rights over the subject properties, in compliance with Section 14(1) and (2) of Presidential Decree No. 1529.

Aggrieved, petitioner Republic of the Philippines (Republic) elevated the case to the Court of Appeals.

The Ruling of the Court of Appeals

On January 30, 2009, the appellate court rendered a Decision[10] (Original Decision) in petitioner Republic's favor, to wit:

> WHEREFORE, the appealed decision of the Regional Trial Court of Pasig City (Branch 161) is REVERSED and SET ASIDE and the instant application for registration and confirmation of title DISMISSED WITHOUT PREJUDICE.[11]

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[8] Id. at 108.

[9] Id. at 81.

[10] Id. at 100-111; penned by Associate Justice Edgardo P. Cruz with Associate Justices Magdangal M. de Leon and Ramon R. Garcia concurring.

[11] Id. at 110.

The Court of Appeals held that in land registration cases, the applicant has the burden of showing that he is the real and absolute owner in fee simple of the land applied for.[12] Thus, to have his imperfect title confirmed, the applicant must present evidence to prove that his possession has been adverse, continuous, open, public, peaceful, and in the concept of an owner[13] since June 12, 1945 or earlier. However, the appellate court noted that the rule on confirmation of an imperfect title grounded on adverse possession does not apply unless and until the subject land has been released in an official proclamation to that effect so that it may form part of the disposable lands of the public domain. To this end, the applicant must secure a certification from the Government that the land applied for is in fact alienable and disposable.[14]

It found that respondents Jabson did not present any evidence showing that the San Jose property had already been classified as alienable and disposable land of the public domain. A plain photocopy of a purported Community Environment and Natural Resources Office (CENRO) Certification dated May 14, 1998, which tended to show that the Bagong Katipunan property is "within the alienable and disposable zone," was submitted to the trial court.[15] However, the Court of Appeals noted that no party identified, testified to, nor offered the certification in evidence. Thus, the Court of Appeals held that it cannot be admitted in evidence. Moreover, even if respondents Jabson offered in evidence a subdivision plan with a notation that the Bagong Katipunan property "is alienable and disposable" as certified by the Bureau of Forest Development, the Court of Appeals ruled that such plan does not constitute proof that the property is indeed alienable and disposable.[16]

Subsequently, respondents Jabson moved for the reconsideration of the aforequoted Decision. And finding merit in their motion, the appellate court issued its assailed Amended Decision dated November 4, 2010, *viz.*:

> WHEREFORE, the instant motion for reconsideration is hereby GRANTED. This Court's Decision dated January 30, 2009 is RECALLED and SET ASIDE, and a new one entered affirming the Decision dated October 28, 2003 of the Regional Trial Court, Branch 161, Pasig City in LRC Case No. N-11402.[17]

The Court of Appeals found that respondents Jabson sufficiently established that: (a) they have had open, continuous, exclusive, and notorious possession of the subject properties; and (b) such properties formed part of the alienable and disposable lands of the public domain.

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[12] Id. at 104 citing *Republic v. Lee*, 274 Phil. 284, 290 (1991).
[13] Id. at 105 citing *The Director, Lands Management Bureau v. Court of Appeals*, 381 Phil. 761, 769-770 (2000).
[14] Id. at 108 citing *Zarate v. Director of Land*, 478 Phil. 421, 434-435 (2004).
[15] Records, p. 85, Annex "H-2" of the *Oposisyon ng Pagpapatitulo ng Lupa.*
[16] *Rollo*, p. 109 citing *Republic v. Barandiaran*, 563 Phil. 1030, 1035 (2007).
[17] Id. at 14.

Previously, the appellate court did not give weight to the CENRO Certification dated May 14, 1998 as it was not offered in evidence. However, relying on the principle of substantial justice,[18] it admitted the Department of Environment and Natural Resources (DENR) Certification[19] dated February 19, 2009 submitted by respondents Jabson, which reads:

> This is to certify that the tract of land as shown and described at the reverse side of this Advance Plan (Ap-00-000399) of Lots 26346 and 26347, Mcad-579, Pasig Multi-Purpose Cadastre **situated at Brgy. Bagong Katipunan**, Pasig City containing an area of 3,024 square meters as surveyed by Geodetic Engineer Juanito A. Ilad for Manuel Jabson, Jr., et al., **was verified to be within the Alienable and Disposable Land**, under Project No. 21 of Pasig City per L.C. Map No. 639, approved on March 11, 1927.
>
> This certification is issued upon the request of Lakambini C. Jabson for whatever legal purpose it may serve as contained in her letter dated February 18, 2009. (Emphasis supplied.)

The Court of Appeals pointed out that based on *Llanes v. Republic*,[20] in the interest of substantial justice and to resolve a material issue in a land registration case, the court is allowed to admit a CENRO Certification in evidence despite its belated submission and lack of formal offer.

Further, the appellate court ruled that respondents Jabson sufficiently established their adverse possession of the subject properties through the following: (a) by exercising specific acts of ownership such as constructing residential houses on the subject properties and leasing the same to third parties, and (b) as admitted by petitioner Republic, by possessing and occupying the San Jose property since 1944.

Petitioner Republic's subsequent motion for reconsideration[21] was denied in a Resolution dated December 26, 2011.

Hence, the present petition.

The Issue

Petitioner Republic comes before this Court raising a single issue:

THE COURT OF APPEALS GRAVELY ERRED IN REVERSING ITS EARLIER DECISION AND SUSTAINING THE JUDGMENT OF THE LOWER COURT CONSIDERING THAT RESPONDENTS FAILED TO ESTABLISH ALL THE REQUIREMENTS UNDER THE LAW TO

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[18] Id. at 46 citing *Llanes v. Republic*, 592 Phil. 623, 633 (2008).

[19] Id. at 131.

[20] Supra note 18 at 633-634.

[21] In Court of Appeals Resolution dated December 26, 2011, *rollo*, pp. 51-52.

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WARRANT THE REGISTRATION IN THEIR FAVOR OF THE LOTS IN QUESTION.[22]

Petitioner Republic insists that respondents Jabson failed to establish with clear and convincing evidence that they have complied with all the requirements under the law to register their title over the subject properties.[23]

Specifically, petitioner Republic maintains that respondents Jabson failed to present any document showing that the subject properties are alienable and disposable. It argues that the appellate court erred in admitting the DENR Certification dated February 19, 2009 on two grounds – *first*, respondents Jabson did not show that Carlito P. Castañeda, DENR Senior Forest Management Specialist, the signatory in the certification, was authorized to issue such a document; and *second*, as held in *Republic v. Castro*,[24] a document that has not been identified and presented during the proceedings in the trial court cannot be submitted for the first time on appeal. Citing *Republic v. T.A.N. Properties, Inc.*,[25] petitioner Republic asserts that respondents Jabson should establish that the DENR Secretary had approved the subject properties' classification as alienable and disposable parts of the public domain. Further, respondents Jabson also failed to show the manner by which their predecessors-in-interest acquired the subject properties. They did not present proof showing their predecessors' basis for claiming ownership or any act that would establish the nature of their predecessors' possession or ownership.[26]

For their part, respondents Jabson insist that they have proven through clear and convincing evidence the subject properties' alienable and disposable nature, the manner and length of time of their predecessors-in-interest's possession, as well as their acts of ownership over the subject properties.[27] Thus, inasmuch as the Court of Appeals' factual findings are supported by these evidence, such findings are binding on this Court.

The Ruling of the Court

The petition is meritorious.

At the onset, We address respondents Jabson's argument that, as this Court is not a trier of facts, We are bound by the trial and appellate courts' factual findings, when supported by clear and convincing evidence. Thus, only questions of law may be raised in a petition for review on *certiorari*.

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22 *Rollo*, p. 27.
23 Id. at 36.
24 594 Phil. 124, 137 (2008).
25 578 Phil. 441 (2008).
26 *Rollo*, pp. 32-35.
27 Id. at 146-162.

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It is settled that a question of law arises when there is doubt or difference as to what the law is on a certain state of facts, and the question does not call for an examination of the probative value of the evidence presented by the litigants. On the other hand, there is a question of fact when the doubt or controversy arises as to the truth or falsity of the alleged facts.[28]

The present petition does not require an examination of the probative value or truthfulness of the evidence presented. It merely raises the question whether or not the Court of Appeals correctly applied the law and jurisprudence when in granting respondents Jabson's application for registration of title to the subject property.[29] Thus, the pivotal question herein is whether or not the grant of respondents Jabson's application for registration of title to the subject property was proper under the law and current jurisprudence.

The general rule prevailing over claims of land is the Regalian Doctrine, which, as enshrined in the 1987 Constitution, declares that the State owns all lands of the public domain.[30] In other words, land that has not been acquired from the government, either by purchase, grant, or any other mode recognized by law, belongs to the State as part of the public domain.[31]

In turn, The Public Land Act[32] governs the classification and disposition of lands of the public domain, except for timber and mineral lands.[33] The law also entitles possessors of public lands to judicial confirmation of their imperfect titles, *viz.*:

> Sec. 48. The following described citizens of the Philippines, occupying lands of the public domain or claiming to own any such lands or an interest therein, but whose titles have not been perfected or completed, may apply to the Court of First Instance of the province where the land is located for confirmation of their claims and the issuance of a certificate of title therefor, under the Land Registration Act, to wit:
>
> x x x x
>
> (b) Those who by themselves or through their predecessors in interest have been in the open, continuous, exclusive, and notorious possession and occupation of alienable and disposable lands of the public domain, under a bona fide claim of acquisition or ownership, since June 12, 1945, except when prevented by war or force majeure. These shall be conclusively presumed to have performed all the conditions essential to a

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28 *Gaerlan v. Republic,* 729 Phil. 418, 429-430 (2014) citing *Republic v. Medida,* 692 Phil. 454, 461 (2012).

29 *Republic v. Jaralve*, 698 Phil. 86, 104 (2012).

30 1987 CONSTITUTION, Article XII, Section 2.

31 *Republic v. Jaralve*, supra note 29 at 105.

32 The Public Land Act, Commonwealth Act No. 141, November 7, 1936.

33 *Republic v. Jaralve*, supra note 29 at 105.

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> Government grant and shall be entitled to a certificate of title under the provisions of this chapter. [34]

The above-cited provision is echoed in Section 14 of Presidential Decree No. 1529, *viz.*:

> SECTION 14. Who may apply. — The following persons may file in the proper Court of First Instance an application for registration of title to land, whether personally or through their duly authorized representatives:
>
> (1) Those who by themselves or through their predecessors-in-interest have been in open, continuous, exclusive and notorious possession and occupation of alienable and disposable lands of the public domain under a bona fide claim of ownership since June 12, 1945, or earlier.

It is clear from the above-cited provisions that any applicant for registration of title to land derived through a public grant must sufficiently establish three things: (a) the subject land's alienable and disposable nature; (b) his or her predecessors' adverse possession thereof, and (c) the reckoning date from which such adverse possession was under a *bona fide* claim of ownership, that is, since June 12, 1945 or earlier.[35]

That land has been removed from the scope of the Regalian Doctrine and reclassified as part of the public domain's alienable and disposable portion cannot be assumed or implied. The prevailing rule is that the applicant must clearly establish the existence of a positive act of the government, such as a *presidential proclamation* or an *executive order*; an *administrative action*; *investigation reports of Bureau of Lands investigators*; and a *legislative act* or a *statute* to prove the alienable and disposable nature of the subject land.[36]

In the present case, the Court of Appeals ruled that the DENR Certification dated February 19, 2009 was sufficient evidence to establish the subject properties' alienable and disposable character.

We disagree.

We cannot give probative value to the DENR Certification dated February 19, 2009 as submitted by respondents Jabson.

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[34] As amended by Presidential Decree No. 1073 entitled "Extending the Period of Filing Applications for Administrative Legalization (Free Patent) and Judicial Confirmation of Imperfect and Incomplete Titles to Alienable and Disposable Lands in the Public Domain Under Chapter VII and Chapter VIII of Commonwealth Act No. 141, as amended, for Eleven (11) Years Commencing January 1, 1977."

[35] *See Republic v. Roasa*, 752 Phil. 439, 446 (2015); *Republic v. Jaralve*, supra note 29 at 106-107.

[36] *Fortuna v. Republic*, 728 Phil. 373, 382-383 (2014).

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First, respondents Jabson's belated submission of a supposed vital document tending to prove the subject properties' alienability is fatal to their cause.

The general rule is that an applicant must formally offer evidence supporting his application before the trial court to duly prove the documents' genuineness and due execution.[37] As an exception to this rule, in *Llanes v. Republic* as cited by the Court of Appeals, the Court admitted in evidence a corrected CENRO certification not formally offered in the trial court and only presented on appeal. However, *Llanes* is not on all fours with the present petition. There are special circumstances justifying the Court's ruling in *Llanes* that are not present in the case at bar.

When the proceedings in *Llanes* reached the appeal stage, the applicants therein had already presented two certifications before the trial court to support their claim that the subject property therein had already been classified as alienable and disposable. However, the two certifications bore different dates as to when the subject land was classified. To clarify the matter, on appeal, the applicants therein submitted a *corrected* certification confirming the true date of classification. Thus, the Court held:

> If the Court strictly applies the aforequoted provision of law, it would simply pronounce that the Court of Appeals could not have admitted the corrected CENRO Certification because it was not formally offered as evidence before the MCTC during the trial stage. **Nevertheless, since the determination of the true date when the subject property became alienable and disposable is material to the resolution of this case, it behooves this Court, in the interest of substantial justice, fairness, and equity, to consider the corrected CENRO Certification even though it was only presented during the appeal to the Court of Appeals.** Since rules of procedure are mere tools designed to facilitate the attainment of justice, it is well recognized that the Court is empowered to suspend its rules or to exempt a particular case from the application of a general rule, when the rigid application thereof tends to frustrate rather than promote the ends of justice.
>
> **Moreover, the Spouses Llanes should not be made to suffer the grave consequences, which include the possibility of losing their right to their property, arising from the mistake of CENRO, a government agency. CENRO itself admitted its blunder and willingly issued a corrected Certification.** Very conspicuously, no other objection to the corrected CENRO Certification was raised except as to its late presentation; its issuance and authenticity were not challenged or placed in doubt.[38] (Emphasis supplied, citation omitted.)

From the foregoing, what was belatedly filed in *Llanes* was merely a *corrected* or *amended* certification, the unedited version of which had been earlier presented in the trial court as evidence of the alienable and disposable

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[37] *Gaerlan v. Republic*, supra note 28 at 439 citing *Republic v. Gomez,* 682 Phil. 631, 640 (2012).

[38] *Llanes v. Republic*, supra note 18 at 633-634.

nature of the land. And the correction or amendment pertained merely to the statement of the reckoning date of adverse possession.

Unlike in *Llanes*, however, respondents Jabson failed to present during trial any evidence establishing the subject properties' alienable and disposable nature. Admittedly, found in the trial court's records was Oppositor Leonida Jabson's ***Oposisyon sa Pagpapatitulo ng Lupa*** dated July 2, 1998, and attached thereto was an alleged **CENRO Certification dated May 14, 1998** issued by Atty. Juanito A. Viernes, a CENR Officer, stating that the subject Bagong Katipunan property is, "[w]ithin the Alienable and Disposable Zone per Project No. 21 and Land Classification Map No. 639."[39] But such document is of no consequence as it was: (a) merely a plain photocopy; (b) not formally offered during trial; and (c) only formed part of the trial court's record not at the instance of respondents Jabson, but due to Oppositor Leonida's submission.

The DENR Certification dated February 19, 2009 was submitted for the first time by respondents Jabson in their Motion for Reconsideration of the Court of Appeals' *original* Decision dated January 30, 2009. This document also cannot be given probative value – it was not presented and identified during trial, much less formally offered in evidence. That it was procured as an afterthought is a given. A cursory reading of the document will reveal that the document was dated *after* respondents Jabson had already lost their appeal on January 30, 2009. This fact underscores that it was *submitted* to "cure" what the original Decision identified as a "defect" in the case.

Second, as correctly pointed out by petitioner Republic, Carlito P. Castañeda, a *DENR Sr. Forest Management Specialist*, was not authorized to issue certifications as to land classification, much less order for the release of lands of the public domain as alienable and disposable.[40]

The Public Land Act[41] vested the **President** the authority to classify lands of the public domain into alienable and disposable. Subsequently, the Revised Forestry Code of the Philippines[42] also empowered the DENR Secretary to determine and approve land classification as well as declare the same as alienable and disposable.[43]

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[39] Records, p. 85.

[40] *Republic v. T.A.N. Properties, Inc.*, supra note 25.

[41] Section 6 of The Public Land Act provides, "The President, upon the recommendation of the Secretary of Agriculture and Commerce, shall from time to time classify the lands of the public domain into — (a) Alienable or disposable, (b) Timber, and (c) Mineral lands, and may at any time and in a like manner transfer such lands from one class to another, for the purposes of their administration and disposition."

[42] Presidential Decree No. 705, May 19, 1975, as cited in *Fortuna v. Republic*, supra note 36.

[43] *Fortuna v. Republic*, id., citing Section 13 of Presidential Decree No. 705 or the Revised Forestry Code of the Philippines, approved on May 19, 1975.

In turn, **DENR Administrative Order (DENR AO) No. 20**[44] dated May 30, 1988 authorized the Provincial Environment and Natural Resources Offices (PENRO)[45] and CENRO[46] to issue certifications as to the status of land classifications, as part of their efforts to decentralize selected functions and authorities of the offices within the DENR. Note, however, that within the department, the DENR Secretary retains the sole authority to approve land classification and release lands as alienable and disposable.[47]

In other words, while the PENRO and CENRO are authorized to issue certifications as to the status of land classification, only the DENR Secretary is empowered to declare that a certain parcel of land forms part of the alienable and disposable portion of the public domain.

Third, a certification alone is not sufficient in proving the subject land's alienable and disposable nature. We have already ruled that a PENRO and/or CENRO certification must be accompanied by a copy of the original classification, certified as a true copy by the legal custodian of the official records, which: (a) released the subject land of the public domain as alienable and disposable, and (b) was approved by the DENR Secretary.[48]

Fourth, even assuming *arguendo* that the DENR Certification dated February 19, 2009 does not suffer the aforementioned shortcomings, the same only served to prove the land classification of one of the subject properties – Bagong Katipunan. To recall, respondents Jabson filed their application in relation to two properties, *viz.*: San Jose and Bagong Katipunan properties. However, the DENR Certification dated February 19, 2009 covers the Bagong Katipunan property only.

To this day, respondents Jabson have not established the alienable and disposable nature of the San Jose property.

All told, from the foregoing, it is clear that respondents Jabson did not overcome the presumption that the parcels of land sought to be registered still formed part of the public domain. Thus, there was absolutely no basis for the Court of Appeals to approve respondents Jabson's application pertaining to the Bagong Katipunan property, and much less the San Jose property.

WHEREFORE, the petition is hereby **GRANTED**. The Amended Decision dated November 4, 2010 and Resolution dated December 26, 2011 of the Court of Appeals in CA-G.R. CV No. 82986, are **REVERSED** and **SET ASIDE**. Respondents Jabson's application for registration and issuance

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44 Subject: Delineation of Regulatory Functions And Authorities. Available on: http://policy.denr.gov.ph/1988/DENR_DAO_1988-20.pdf. Last accessed: May 18, 2018.

45 DENR AO No. 20, Part F.

46 Id., Part G.

47 Id., Part A.

48 *Republic v. T.A.N. Properties, Inc.*, supra note 25.

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of title to: (a) Lots 1, 2, and 3 as per PSU-233559, Barrio San Jose, Pasig City, and (b) Lots 26346 and 26347 as per AP-00-000399, Barangay Bagong Katipunan, Pasig City, in LRC Case No. N-11402 filed with the Regional Trial Court, Branch 161, Pasig City is DISMISSED WITHOUT PREJUDICE.

SO ORDERED.

TERESITA J. LEONARDO-DE CASTRO
Associate Justice
Acting Chairperson, First Division

WE CONCUR:

LUCAS P. BERSAMIN
Associate Justice

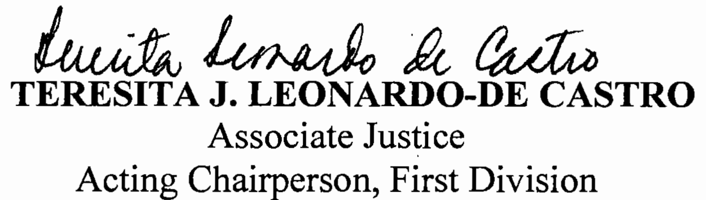
MARIANO C. DEL CASTILLO
Associate Justice

On official leave
NOEL GIMENEZ TIJAM
Associate Justice

ALEXANDER G. GESMUNDO
Associate Justice

ATTESTATION

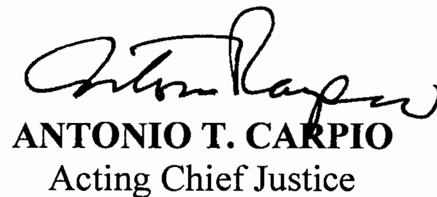
I attest that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.



TERESITA J. LEONARDO-DE CASTRO
Associate Justice
Acting Chairperson, First Division

CERTIFICATION

Pursuant to Section 13, Article VIII of the Constitution and the Division Acting Chairperson's Attestation, I certify that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.



ANTONIO T. CARPIO
Acting Chief Justice