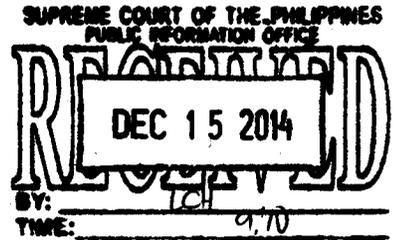


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Republic of the Philippines
Supreme Court
Manila
FIRST DIVISION



NOTICE

Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **November 19, 2014** which reads as follows:*

“G.R. No. 213843 (Heirs of Jose Israel, represented by Rosario Israel, Macario Israel, and Michael Israel v. Heirs of Rev. Fr. Jaime Israel, Heirs of Atty. Domingo Israel, Fe Israel Barias, Heirs of Ligaya Israel Orros, Zenaida Soriano, et al.). The petitioners’ motion for an extension of thirty (30) days within which to file a petition for review on certiorari is **GRANTED**, counted from the expiration of the reglementary period.

After a careful perusal of the records, the Court resolves to **DENY** the instant petition and **AFFIRM** the December 6, 2013 Decision¹ and July 30, 2014 Resolution² of the Court of Appeals (CA) in CA-G.R. SP No. 121339 for failure of the Heirs of Jose Israel, represented by Rosario Israel, Macario Israel, and Michael Israel (petitioners-heirs) to show that the CA committed any reversible error in upholding the resumption of the proceedings in Civil Case No. U-7393.

As aptly pointed out by the CA, before the trial court set the partition for pre-trial, it had fixed a period for the filing of the proper petition for probate of Juan Israel’s will. In its Order³ dated February 8, 2011, the trial court directed the party that has possession of the will to file the necessary petition within thirty (30) days from notice, otherwise, it shall resume hearing the case. The prescribed periods for the performance of certain acts must be followed with fealty as they are designed primarily to speed up the final disposition of the case. Such periods are indispensable interdictions against needless delays and for an orderly discharge of judicial business. Its observance cannot be left to the whims and caprices of the parties.⁴ To rule

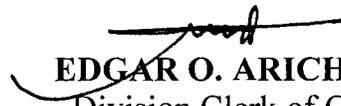
¹ Rollo, pp. 30-39. Penned by Associate Justice Noel G. Tijam with Associate Justices Priscilla J. Baltazar-Padilla and Agnes Reyes-Carpio, concurring.
² Id. at 196-198.
³ Id. at 179-182. Penned by Judge Tita S. Obinario.
⁴ See *LTS Philippines Corporation v. Maliwat*, 489 Phil. 230, 234 (2005).

otherwise would be to allow petitioners to unjustly deprive respondents of the rightful enjoyment of their inheritance.

The Cash Collection and Disbursement Division is hereby **DIRECTED** to **RETURN** to the petitioners the excess amount of ₱470.00 paid for filing fees under O.R. No. 0100274-SC-EP dated September 4, 2014.

SO ORDERED. BERSAMIN, J., on official travel; VELASCO, JR., J., designated acting member per S.O. No. 1870 dated November 4, 2014.

Very truly yours,


EDGAR O. ARICHETA
Division Clerk of Court *ph ubw*
13

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(CA-G.R. SP No. 121339)

Cash Collection and Disbursement
Division (x)
Supreme Court

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The Hon. Presiding Judge
Regional Trial Court, Br. 45
Urdaneta City 2428 Pangasinan
(Civil Case No. U-7393)

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