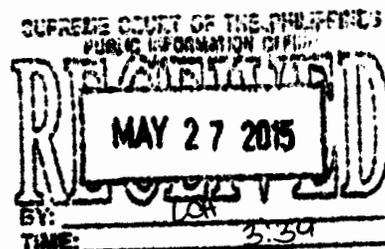




Republic of the Philippines  
Supreme Court  
Baguio City

FIRST DIVISION

NOTICE



Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated April 20, 2015 which reads as follows:*

**“G.R. No. 216116 (Virgie R. Pinili, joined by her husband, Rodolfo Pinili v. Christian Durana and/or Mediya Durana in representation of her son who is a minor). – 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; and the petitioners’ ex-parte manifestation of compliance, submitting the CD containing the petition is **NOTED**.**

After a judicious perusal of the records, the Court resolves to **DENY** the petition and **AFFIRM** the April 15, 2014 Decision<sup>1</sup> and January 14, 2015 Resolution<sup>2</sup> of the Court of Appeals (CA) in CA-G.R. SP No. 131836 for failure of Virgie R. Pinili (Virgie), joined by her husband, Rodolfo Pinili (petitioners) to show that the CA committed any reversible error in upholding the dismissal of their complaint for damages.

As correctly held by the CA, petitioners are not entitled to the damages claimed pursuant to Articles 19,<sup>3</sup> 20,<sup>4</sup> and 21<sup>5</sup> of the Civil Code

<sup>1</sup> *Rollo*, pp. 54-63. Penned by Associate Justice Ramon R. Garcia with Associate Justices Rebecca de Guia-Salvador and Danton Q. Bueser, concurring.

<sup>2</sup> *Id.* at 74-75.

<sup>3</sup> Article 19 of the Civil Code reads:

ART. 19. Every person must, in the exercise of his rights and in the performance of his duties, act with justice, give everyone his due, and observe honesty and good faith.

<sup>4</sup> Article 20 of the Civil Code reads:

ART. 20. Every person who contrary to law, willfully or negligently caused damage to another, shall indemnify the latter for the same.

<sup>5</sup> Article 21 of the Civil Code reads:

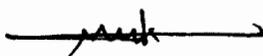
ART. 21. Any person who willfully causes loss or injury to another in a manner that is contrary to morals, good customs or public policy shall compensate the latter for the damage.

April 20, 2015

absent proof of malice or bad faith on the part of Christian Durana and/or Mediya Durana in representation of her son who is a minor (respondents) to intentionally vex or humiliate Virgie. The mere fact that respondents may have answered back did not constitute abusive conduct. There was likewise no showing of ill motive, instead, their act can be characterized as done in defense of themselves and of the child who was under their care.

**SO ORDERED.”**

Very truly yours,

  
**EDGAR O. ARICHETA**  
 Division Clerk of Court <sub>MS15</sub>  
**327-A**

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The Hon. Presiding Judge  
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 1000 Manila  
 (Civil Case No. 13-130023)

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