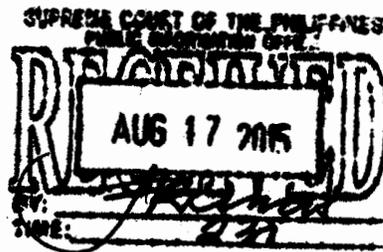




Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

NOTICE



Sirs/Mesdames:

Please take notice that the Court, First Division, issued a Resolution dated July 29, 2015 which reads as follows:

“G.R. No. 218062 (Jose Herteodelus B. Bayana v. Development Bank of the Philippines, represented by Hon. Patricia Sto. Tomas, Chairperson of the Board of Directors, and FSVP Benilda A. Tejada, Corporate Secretary). – The petitioner’s 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 judicious review of the records, the Court resolves to **DENY** the instant petition and **AFFIRM** the March 14, 2013 Decision¹ and March 30, 2015 Resolution² of the Court of Appeals (CA) in CA-G.R. SP No. 02372-MIN for failure of petitioner Jose Herteodelus B. Bayana (petitioner) to sufficiently show that the CA committed any reversible error in upholding the finding that he was guilty of gross neglect of duty and, therefore, must be meted out the penalty of dismissal.

As correctly ruled by the CA, sufficient evidence exists in this case showing that petitioner willfully and negligently mishandled the seven (7) multimillion loan accounts to the prejudice of his employer and its clients, which constituted gross neglect of duty, *i.e.*, “the want of even slight care, acting or omitting to act in a situation where there is a duty to act, not inadvertently but willfully and intentionally, with a conscious indifference to consequences insofar as other persons may be affected.”³ As such, despite the attending mitigating circumstances, the imposition of the

- over – two (2) pages

18-A

¹ Rollo, pp. 52-60. Penned by Associate Justice Marie Christine Azcarraga-Jacob with Associate Justices Romulo V. Borja and Ma. Luisa C. Quijano-Padilla concurring.

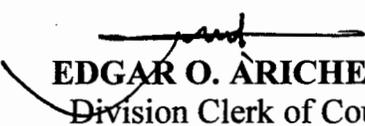
² Id. at 61-74. Penned by Associate Justice Romulo V. Borja with Associate Justices Oscar V. Badelles and Rafael Antonio M. Santos concurring.

³ PNB v. Arcobillas, G.R. No. 179648, August 7, 2013, 703 SCRA 226, 237; citation omitted.

maximum penalty of dismissal is warranted in this case. Moreover, findings of fact of administrative agencies and quasi-judicial bodies, which have acquired expertise because their jurisdiction is confined to specific matters, are generally accorded not only respect, but finality when affirmed by the CA. Such findings deserve full respect and, without justifiable reason, ought not to be altered, modified or reversed,⁴ as in this case.

SO ORDERED.” SERENO, C.J., on official leave; **PERALTA, J.**, acting member per S.O. No. 2103 dated July 13, 2015.

Very truly yours,


EDGAR O. ARICHETA
Division Clerk of Court st

18-A

RESERVA-FILOTEO LAW
OFFICE
Counsel for Petitioner
2nd Flr., PS Arcade
Deofavente Bldg.
J. Rosales Ave. 8600 Butuan City

Hon. Raoul C. Creencia
Government Corporate Counsel
3rd Flr., MWSS Bldg.
Katipunan Rd. cor. Balara
1100 Quezon City

The Solicitor General (x)
Makati City

Court of Appeals
9000 Cagayan de Oro City
(CA-G.R. SP No. 02372-MIN)

The Chief Legal Counsel/Corporate
Secretary
Counsel for Respondents
Development Bank of the Phil.
Cor. Sen. G. Puyat & Makati Ave.
1200 Makati City

Civil Service Commission
Constitution Hills
Batasang Pambansa Complex
Diliman 1128 Quezon City
(Resolution No. 072403)

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⁴ *Sps. Carpio v. Sebastian*, 635 Phil. 1, 10 (2010); citation omitted.

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