



REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **07 December 2020** which reads as follows:*

“G.R. No. 247807 (Reymualdo G. Orinday v. Leifty R. Delos Santos and Luzviminda R. Delos Santos). – After a judicious study of the case, the Court resolves to **DENY** the instant petition¹ and **AFFIRM** the October 27, 2017 Decision² and the June 4, 2019 Resolution³ of the Court of Appeals (CA) in CA-G.R. CV No. 108112 for failure of petitioner Reymualdo G. Orinday (Reymualdo) to sufficiently show that the CA committed any reversible error in affirming the November 17, 2016 Decision⁴ of the Regional Trial Court of Imus City, Cavite, Branch 20 (RTC) in Civil Case No. 4618-11, ordering: (a) the nullification of the Deed of Absolute Sale dated February 25, 2010; (b) the return of the owner’s duplicate copy of Transfer Certificate of Title (TCT) No. T-363682 to respondent Leifty R. Delos Santos (Leifty), or otherwise, if such is no longer feasible by reason of the transfer and registration of the said title in the name of Reymualdo, then the cancellation of the title in the latter’s name; and (c) the payment of the amounts of ₱50,000.00 as moral damages, ₱50,000.00 as exemplary damages, and ₱50,000.00 as attorney’s fees, plus costs of suit.

As correctly ruled by the CA, the RTC had no jurisdiction to recognize Reymualdo’s claim of co-ownership in the subject property, as the same was not put in issue before the trial court.⁵ Neither were his alleged co-owners impleaded as parties in the case. Elementary is the rule that ‘courts of justice have no jurisdiction or power to decide a question not in issue.’⁶ ‘[A] judgment must conform to and be supported by both the pleadings and the evidence, and that it be

¹ *Rollo*, pp. 3-27.

² *Id.* at 33-44. Penned by Associate Justice Normandíe B. Pizarro with Associate Justices Danton Q. Bueser and Marie Christine Azcarraga-Jacob, concurring.

³ *Id.* at 46-50. Penned by Associate Justice Marie Christine Azcarraga-Jacob with Associate Justices Ricardo R. Rosario (now a member of this Court) and Danton Q. Bueser, concurring.

⁴ *Id.* at 51-74. Penned by Acting Presiding Judge Josefina E. Siscar.

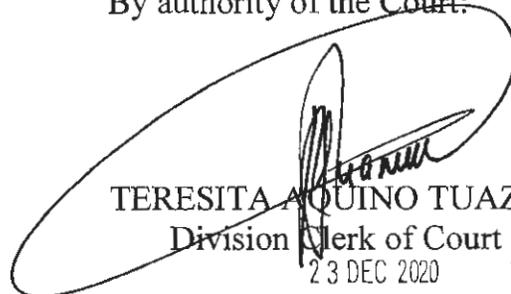
⁵ See issues of the case as enumerated by the RTC; *id.* at. 70. See also the respective pre-trial briefs of the parties (*records*; pp. 183-200) and the pre-trial order dated October 9, 2012; *id.* at 211.

⁶ *Pe v. Intermediate Appellate Court*, 272-A Phil. 94-104 (1991), citing *Viajar v. Court of Appeals*, 250 Phil. 404-413 (1988). Referred to as “jurisdiction over the issues of the case,” such requirement for the exercise of judicial power “is determined and conferred by the pleadings [of] the parties, or by their agreement in a pre-trial order or stipulation, or, at times by their implied consent as by the failure of a party to object to evidence on an issue not covered by the pleadings.” *Dy v. Yu*, 763 Phil. 491-522 (2015).

in accordance with the theory of the action on which the pleadings were framed and the [issues upon which the] case was tried.’⁷ Notably, Reymualdo merely sought a declaration of his alleged co-ownership in his appeal before the CA⁸ — in violation of the settled rule that ‘questions raised on appeal must be within the issues framed by the parties [before the trial court].’⁹ Likewise, the Court sees no reason to disturb the ruling of the CA insofar as it denied Reymualdo’s money claim against Luzviminda Delos Santos for lack of evidence, and ordered the former to pay moral damages, exemplary damages, attorney’s fees, and costs of suit. It bears stressing that factual findings of trial courts, especially when affirmed by the CA, deserve respect and finality by this Court,¹⁰ and although there are recognized exceptions to this rule,¹¹ none are applicable in the instant case.

SO ORDERED. (Rosario, *J.*, no part due to prior action in the CA; Caguioa, *J.*, designated Additional Member per Special Order No. 2797-G dated November 20, 2020.)”

By authority of the Court:



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Division Clerk of Court *p. 12/23*
23 DEC 2020

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HON. PRESIDING JUDGE (reg)
Regional Trial Court, Branch 20
Imus City, Cavite
(Civil Case No. 4618-11)

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⁷ *Bank of the Philippine Islands v. ALS Management and Development Corporation*, 471 Phil. 544-570 (2004), citing *Jose Clavano, Inc. v. Housing and Land Use Regulatory Board*, 428 Phil. 208-234 (2002).

⁸ See Appellant’s Brief dated November 21, 2017; *rollo*, pp. 75-95.

⁹ *Lim v. Queensland Tokyo Commodities, Inc.*, 424 Phil. 35, 48 (2002). See also *Coca-Cola Bottlers Phils. Inc. v. Daniel*, 499 Phil. 491, 512 (2005).

¹⁰ See *Pacific Airways Corporation v. Tonda*, 441 Phil. 156, 162 (2002).

¹¹ See *Spouses Aboitiz v. Spouses Po*, G.R. Nos. 208450 and 208497, June 5, 2017, 825 SCRA 457, 499.