



REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

Sirs/Mesdames:

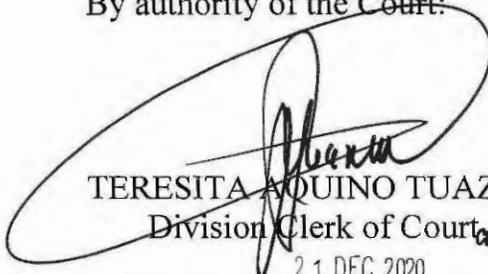
*Please take notice that the Court, Second Division, issued a Resolution dated **07 December 2020** which reads as follows:*

“G.R. No. 253750 (Ma. Theresa E. Maligad v. Regional Trial Court of Makati City, Branch 58 and Tongyang Savings Bank, Inc.). – After a judicious study of the case, the Court resolves to **DISMISS** the instant petition¹ for violating the doctrine of hierarchy of courts. This doctrine requires that recourse must first be made to the lower-ranked court exercising concurrent jurisdiction with a higher court.² As such, a direct invocation of this Court’s jurisdiction is allowed [only] when there are special and important reasons therefor,³ which are clearly absent in this case.

In any event, the Regional Trial Court of Makati City, Branch 58 did not gravely abuse its discretion in denying petitioner Ma. Theresa E. Maligad’s Motion (to Nullify Auction Sale on Defendant’s Family Home),⁴ as she failed to substantiate her claim that the property subject of execution proceedings was a duly-constituted family home.

SO ORDERED. (Rosario, J., designated Additional Member per Special Order No. 2797 dated November 5, 2020.)”

By authority of the Court:


TERESITA AQUINO TUAZON
Division Clerk of Court
21 DEC 2020

¹ Rollo, pp. 16-26.

² *SPARK v. Quezon City*, 815 Phil. 1067-1174 (2017), citing *Arroyo v. Department of Justice*, 695 Phil. 302, 334 (2012).

³ Id.

⁴ See rollo, pp. 69-72.

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HON. PRESIDING JUDGE (reg)
Regional Trial Court, Branch 58
Makati City
(Civil Case No. 11-386)

JUDGMENT DIVISION (x)
Supreme Court, Manila

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Please notify the Court of any change in your address.
GR253750. 12/7/2020(181)URES *lrv*