



REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **20 January 2021** which reads as follows:*

“G.R. No. 220173 (*Spouses Lanie and Ishtiaq Hussain v. Spouses Ismael and Rizalina Papa and Violeta F. Licudan*) – After a judicious review of the records, this Court resolves to **DENY** the Petition¹ for failure of petitioners to sufficiently show that the Court of Appeals (*CA*) committed any reversible error in its May 15, 2015 Decision² and August 20, 2015 Resolution³ as to warrant the exercise of this Court’s appellate jurisdiction.

After petitioners’ application for a writ of preliminary injunction was denied, the foreclosure sale of the subject property covered by Transfer Certificate of Title (*TCT*) No. 161866 proceeded on November 17, 2010, and respondent spouses Ismael and Rizalina Papa (*Spouses Papa*) emerged as the winning bidder. Since petitioners failed to redeem the subject property within the one-year redemption period, ownership over the subject property was consolidated in favor of Spouses Papa. Spouses Papa became the absolute owner of the subject property. Consequently, Spouses Papa’s obligation to deliver the subject *TCT* ceased, and petitioners are no longer entitled to the surrender of the subject *TCT*.

Moreover, the *CA* correctly ruled that petitioners are entitled to damages considering that Spouses Papa failed to comply with their obligation in the letter guarantee of BPI Family Bank wherein they signified their conformity to the terms and conditions, specifically the surrender of the subject *TCT*.

¹ *Rollo*, pp. 10-35.

² *Id.* at 37-54; penned by Associate Justice Fernanda Lampas Peralta, with Associate Justices Stephen C. Cruz and Ramon Paul L. Hernando (now a Member of this Court), concurring.

³ *Id.* at 55-56.

WHEREFORE, the petition is **DENIED**. The May 15, 2015 Decision and August 20, 2015 Resolution of the Court of Appeals in CA-G.R. CV No. 102269 are hereby **AFFIRMED**.

SO ORDERED. (Rosario, *J.*, designated additional member per Special Order No. 2797 dated November 5, 2020, on official leave)"

By authority of the Court:


TERESITA AQUINO TUAZON
 Division Clerk of Court *Utah*
 2/3

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VIOLETA F. LICUDAN

Respondent
 (present address unknown)

HON. PRESIDING JUDGE (reg)

Regional Trial Court, Branch 146
 Makati City
 (Civil Case No. 10-240)

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Supreme Court, Manila

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Please notify the Court of any change in your address.
 GR220173. 1/20/2021(171)URES