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THIRD DIVISION

[G.R. No. 229891; April 6, 2022]

ADALIA ARMARIO ABELLA, *Petitioner*, *v.* **MARIA ARMARIO VILLAN,** *Respondent*.

D E C I S I O N

LEONEN, *J.*:

The Department of Agrarian Reform Adjudication Board is best suited to determine who is the rightful farmer-beneficiary in a leasehold due to its technical knowledge and expertise on matters of agrarian reform. Further, the issuance of a certificate of title does not divest the Department of Agrarian Reform Adjudication Board of its jurisdiction over issues which hinge on the application of the Comprehensive Agrarian Reform Program.

This Court resolves a Petition for Review on Certiorari[1] assailing the Decision[2] and Resolution[3] of the Court of Appeals which sustained the Department of Agrarian Reform Adjudication Board's Judgment[4] directing the transfer of a portion of land covered by Transfer Certificate of Title No. EP-219 from Reynaldo Abella to his sister-in-law, Maria Armario Villan.

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1 *Rollo*, pp. 15-33.

2 Id. at 45-57. The June 14, 2016 Decision in CA-G.R. SP No. 126088 was penned by Associate Justice Leoncia Real-Dimagiba and concurred in by Associate Justices Stephen C. Cruz and Jhosep Y. Lopez (now a Member of this Court) of the Special Fifteenth Division, Court of Appeals, Manila.

3 Id. at 58-59. The January 10, 2017 Resolution was penned by Associate Justice Leoncia Real-Dimagiba and concurred in by Associate Justices Stephen C. Cruz and Jhosep Y. Lopez of the Former Special Fifteenth Division, Court of Appeals, Manila.

4 Id. at 34-36. The October 17, 2011 Decision in DARAB Case No. D-05-03-RL-00029 was penned by Board Member Ma. Patricia P. Rualo-Bello and concurred in by Chairperson Virgilio R. De Los Reyes and Board Members Gerundio C. Madueño, Jim G. Coleto, and Arnold C. Arrieta.

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Eutiquiano T. Armario (Eutiquiano) was a farmer-beneficiary of four farmlots with an aggregate area of 3.4289 hectares.[5]

On August 29, 1989, Municipal Agrarian Reform Officer Victor N. Honrado (MARO Honrado) informed the Provincial Agrarian Reform Officer that the lots awarded to Eutiquiano had an excess area of 0.4289 hectare. MARO Honrado recommended that the excess area be segregated and transferred to Reynaldo Abella (Abella), Eutiquiano's son-in-law.[6]

On June 29, 1990, deviating from MARO Honrado's earlier recommendation, Municipal Agrarian Reform Officer Jose M. Segovia recommended that 0.9712 hectare of the portion allotted to Eutiquiano be transferred to Abella instead. MARO Honrado's earlier recommendation was thus adjusted and Abella signed Emancipation Patent Form No. 2, which had 0.9712 hectare superimposed on it.[7]

On July 30, 1990, Abella's Emancipation Patent No. 147186, with the superimpositions on its face, was transmitted to the Register of Deeds for Registration. The emancipation patent was eventually released to Abella, married to Adalia Armario Abella (Adalia),[8] and Transfer Certificate of Title No. EP-219 was issued in his name[9] as a farmer beneficiary under Presidential Decree No. 27.[10]

However, despite the emancipation patent and land title issued in Abella's favor, Eutiquiano continued to allow his daughter Maria Armario Villan (Villan) to occupy a portion of the lot covered by the title.[11]

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5 Id. at 34, RARAD Judgment.

6 Id.

7 Id. at 34-35.

8 Id. at 19.

9 Id. at 35.

10 Id. at 19. Decreeing the emancipation of tenants from the bondage of the soil. Transferring to them the ownership of the land they till and providing the instruments and mechanism therefor.

11 Id. at 35.

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On September 8, 1997, in a joint affidavit of ownership,[12] Eutiquiano and Abella agreed to bequeath to Villan the portion of Abella's lot where her house was constructed.[13] After Eutiquiano's death on November 7, 1997, his heirs also executed an extrajudicial settlement awarding to Villan a portion of Eutiquiano's lot and the area where her house stood "to be deducted from the share of Adalia Abella."[14]

On January 26, 2000, Abella confirmed in an affidavit that he was transferring 3,831 sq.m. of his lot to Villan.[15]

On June 19, 2000, the City Agrarian Reform Officer of Legazpi City issued a certification recognizing Villan's right over the 3,831 sq.m. she was occupying and identified the portion as Lot No. 1713-B-2-A.[16] The pertinent portion of the certification reads:

> It is further certified that per submitted Sworn Joint Affidavits of Eutiquiano Armario and Reynaldo Abella dated September 8, 1997 and Affidavit of Reynaldo Abella dated January 6, 2000 respectively per submitted Approved Survey Plan No. Psd-05-026099 involving subject property, the parcel ADJUDICATED in favor Heir MARIA ARMARIO VILLAN of which she is in actual exclusive physical possession and cultivation as Heir-Farmer Beneficiary thereof, is now identified as **Lot No. 1713-B-2-A with an area of THREE THOUSAND EIGHT HUNDRED THIRTY ONE (3,831) square meters**[.][17] (Emphasis in the original)

Villan filed a complaint for the cancellation of Transfer Certificate of Title No. EP-219 with the Regional Trial Court of Legazpi, but her complaint was dismissed without prejudice for lack of jurisdiction. She was instead directed to file before the Department of Agrarian Reform.[18] Thus, Villan filed a complaint

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[12] Id. at 41-42, DARAB Decision.

[13] Id. at 35.

[14] Id. at 35 and 42.

[15] Id. at 35.

[16] Id. at 43.

[17] Id.

[18] Id. at 47.

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for restoration and/or correction of entries in Transfer Certificate of Title No. EP-219 against Spouses Reynaldo and Adalia Abella (Spouses Abella) before the Department of Agrarian Reform.[19]

In its Judgment, the Regional Agrarian Reform Adjudicator, citing Ministry Memo Circular No. 4, Series of 1986, found that Eutiquiano, as the original farmer beneficiary, did not consent to the reallocation to Abella.[20] The Adjudicator then directed Spouses Abella to turn over possession of the subject 3,831 sq.m. to Villan. The dispositive portion of the Judgment reads:

> Wherefore, finding for petitioner, judgment is hereby rendered:
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> 1. Directing private respondents, the Spouses Reynaldo and Adalia Abella to honor their father's wish the beneficiary, to give to petitioner possession of 3,831 square meters from the area covered by TCT No. EP-219 consisting of 9,712 square meters.
>
> 2. Directing the cancellation of TCT-EP-219 and the issuance of a new title if still necessary to adjust the entries thereto and to conform to its new size for the respondent.
>
> 3. No costs.
>
> SO ORDERED.[21]

Their motion for reconsideration having been denied,[22] the Abella Spouses appealed[23] to the Department of Agrarian Reform Adjudication Board which affirmed the Adjudicator's ruling in its October 17, 2011 Decision.[24]

The Board upheld the Adjudicator's finding that Eutiquiano did not consent to reallocate a portion of his excess lot to Abella. The

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[19] Id.

[20] Id. at 34-36. The July 26, 2004 Judgment was penned by Regional Adjudicator Isabel E. Florin.

[21] Id. at 36.

[22] Id. at 48.

[23] Id. at 38.

[24] Id. at 38-44.

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Board also pointed out that Villan's right to a portion of Transfer Certificate of Title No. EP-219 was supported by the joint affidavit of ownership between Eutiquiano and Abella, the extrajudicial partition executed by Eutiquiano's surviving heirs, and Abella's January 26, 2000 affidavit where he transferred a portion of Transfer Certificate of Title No. EP-219 to Villan as part of her inheritance from Eutiquiano.[25]

The dispositive portion of the Board's Decision reads:

> **WHEREFORE**, premises considered, the appeal is hereby **DISMISSED** and the Judgment dated July 26, 2004 of the Adjudicator *a quo* is **AFFIRMED** *in toto*.
>
> **SO ORDERED.**[26] (Emphasis in the original)

The Abella Spouses moved for reconsideration, which was denied.[27] Undeterred, Adalia appealed[28] the Board's Decision to the Court of Appeals. However, the Court of Appeals denied this on June 14, 2016.[29]

In its Decision,[30] the Court of Appeals recognized the Department of Agrarian Reform Adjudication Board's jurisdiction to resolve the controversy between Villan and the Abella Spouses, as it involved the implementation of the Comprehensive Agrarian Reform Program.[31]

The Court of Appeals upheld the Board's finding that Eutiquiano did not give up the entire lot in favor of Abella and that he really intended to give a portion of the lot to his daughter.[32]

It then concurred that the submitted documents supported Villan's claim that Eutiquinao intended to give her a portion of the

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[25] Id. at 42-43.

[26] Id. at 44.

[27] Id. at 48.

[28] Id. at 45.

[29] Id. at 56.

[30] Id. at 45-57.

[31] Id. at 51-52.

[32] Id. at 55.

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lot as her inheritance and that this was acknowledged by her entire family, including her sister Adalia and brother-in-law Abella.[33]

The dispositive portion of the Court of Appeals Decision reads:

> **WHEREFORE**, foregoing considered, the petition is **DENIED**. The assailed decision and resolution, dated October 17, 2011 and July 5, 2012 respectively, are hereby **AFFIRMED**.
>
> **SO ORDERED.**[34] (Emphasis in the original)

Adalia moved for reconsideration of the Court of Appeals Decision which was likewise denied.[35] Hence, Adalia filed this Petition for Review[36] as the surviving spouse of Reynaldo Abella.[37]

Petitioner claims that her husband was the rightful beneficiary of the excess 9,712 sq.m. originally awarded to her father, as evidenced by Transfer Certificate of Title No. EP-219 awarded to her husband.[38] Petitioner also states that her father received her husband's land title together with his own land titles from the Department of Agrarian Reform, and that her father personally handed the land title to Abella without any complaint, thereby showing his concurrence to the reallocation in Abella's favor.[39]

Petitioner stresses that her husband religiously paid the lot's monthly amortizations and that after the lot was fully paid, her sister, respondent Villan, filed a petition before the Regional Trial Court to enforce her spurious claim over it. She likewise states that respondent filed separate cases for falsification and libel to harass her. However, these were eventually dismissed.[40]

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[33] Id. at 53-55.

[34] Id. at 56.

[35] Id. at 58-59.

[36] Id. at 15-32.

[37] Id. at 16.

[38] Id. at 18-19.

[39] Id. at 19.

[40] Id. at 19-20.

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Petitioner asserts that the joint affidavit executed by her husband and father is void as she did not consent to the lot's disposition. She argues that the property is part of the marriage's community property as the payments for it were sourced from the conjugal funds.[41]

Petitioner also claims the Court of Appeals erred in upholding the Department of Agrarian Reform Adjudication Board's ruling despite the latter's lack of jurisdiction over respondent's petition for restoration and correction. She also questions the Board's jurisdiction to direct the transfer of a portion of the lot to respondent just to honor their father's wish.[42]

In her Comment,[43] respondent points out that petitioner raised questions of fact in a Rule 45 petition where only questions of law may be raised.[44] She also stresses that the Petition was filed out of time.[45]

Respondent then highlights that the documentary evidence presented supported her claim to a portion of the land covered by Transfer Certificate of Title No. EP-219, as desired by her father and acknowledged by petitioner.[46] In light of petitioner's devious scheme to dispossess her of her rightful property and the legal expenses she incurred to protect what is hers, respondent also prays for ₱100,000.00 in attorney's fees.[47]

In her Reply,[48] petitioner denied[49] all of respondent's assertions and repeated her arguments on the Board's lack of jurisdiction.

The issues for this Court's resolution are:

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41 Id. at 28.

42 Id. at 22-23.

43 Id. at 64-76.

44 Id. at 65-67.

45 Id. at 66.

46 Id. at 69-71.

47 Id. at 74-75.

48 Id. at 81-83.

49 Id. at 81.

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First, whether or not the Department of Agrarian Reform Adjudication Board had the requisite jurisdiction to take cognizance of respondent's petition for restoration and/or correction of entries in Transfer Certificate of Title No. EP-219; and

Second, whether or not the Court of Appeals erred in upholding the award in respondent's favor and directing petitioner to transfer a portion of Transfer Certificate of Title No. EP-219 to respondent.

The Petition must fail.

I (A)

Petitioner questions two types of jurisdiction before this Court: jurisdiction over subject matter and jurisdiction over a person.

Jurisdiction over the subject matter is conferred by law and determined through the nature of the action and relief sought, as reflected in the material allegations of the complaint.[50]

Republic Act No. 6657 or the Comprehensive Agrarian Reform Law of 1988 granted the Department of Agrarian Reform primary jurisdiction to determine and adjudicate agrarian reform matters, and implement the Comprehensive Agrarian Reform Program. Section 50 of Republic Act No. 6657 defines the Department of Agrarian Reform's jurisdiction:

> SECTION 50. *Quasi-Judicial Powers of the DAR*. — The DAR is hereby vested with primary jurisdiction to determine and adjudicate agrarian reform matters and shall have exclusive original jurisdiction over all matters involving the implementation of agrarian reform, except those falling under the exclusive jurisdiction of the Department of Agricultural (DA) and the Department of Environment and Natural Resources (DENR).
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> It shall not be bound by technical rules of procedure and evidence but shall proceed to hear and decide all cases, disputes or controversies in a most expeditious manner, employing all reasonable means to ascertain the facts of every case in accordance with equity and the merits of

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[50] *Amoguis v. Ballado*, G.R. No. 189626, August 20, 2018, https://elibrary.judiciary.gov.ph/thebookshelf/showdocs/1/64639> [Per J. Leonen, Third Division].

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the case. Toward this end, it shall adopt a uniform rule of procedure to achieve a just, expeditious and inexpensive determination of every action or proceeding before it.

It shall have the power to summon witnesses, administer oaths, take testimony, require submission of reports, compel the production of books and documents and answers to interrogatories and issue subpoena, and subpoena duces tecum and to enforce its writs through sheriffs or other duly deputized officers. It shall likewise have the power to punish direct and indirect contempt in the same manner and subject to the same penalties as provided in the Rules of Court.

Representatives of farmer leaders shall be allowed to represent themselves, their fellow farmers or their organizations in any proceedings before the DAR: Provided, however, that when there are two or more representatives for any individual or group, the representatives should choose only one among themselves to represent such party or group before any DAR proceedings.

Notwithstanding an appeal to the Court of Appeals, the decision of the DAR shall be immediately executory.

The Department of Agrarian Reform's sweeping authority over disputes emanating from the implementation of agrarian reform was reinforced with the addition of Section 50-A which highlighted its exclusive jurisdiction over agrarian disputes:

SECTION 50-A. *Exclusive Jurisdiction on Agrarian Dispute*. — No court or prosecutor's office shall take cognizance of cases pertaining to the implementation of the CARP except those provided under Section 57 of Republic Act No. 6657, as amended. If there is an allegation from any of the parties that the case is agrarian in nature and one of the parties is a farmer, farmworker, or tenant, the case shall be automatically referred by the judge or the prosecutor to the DAR which shall determine and certify within fifteen (15) days from referral whether an agrarian dispute exists: Provided, That from the determination of the DAR, an aggrieved party shall have judicial recourse. In cases referred by the municipal trial court and the prosecutor's office, the appeal shall be with the proper regional trial court and in cases referred by the regional trial court, the appeal shall be to the Court of Appeals.

In cases where regular courts or quasi-judicial bodies have competent jurisdiction, agrarian reform beneficiaries or identified beneficiaries and/or their associations shall have legal standing and interest to intervene

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concerning their individual or collective rights and/or interests under the CARP.

The fact of non-registration of such associations with the Securities and Exchange Commission, or Cooperative Development Authority, or any concerned government agency shall not be used against them to deny the existence of their legal standing and interest in a case filed before such courts and quasi-judicial bodies.[51]

About a year before the effectivity of Republic Act No. 6657, Executive Order No. 129-A[52] created the Agrarian Reform Adjudication Board to assume the Department's quasi-judicial functions:

SECTION 13. *Agrarian Reform Adjudication Board*. There is hereby created an Agrarian Reform Adjudication Board under the Office of the Secretary. The Board shall be composed of the Secretary as Chairman, two (2) Undersecretaries as may be designated by the Secretary, the Assistant Secretary for Legal Affairs, and three (3) others to be appointed by the President upon the recommendation of the Secretary as members. A Secretariat shall be constituted to support the Board. The Board shall assume the powers and functions with respect to the adjudication of agrarian reform cases under Executive Order No. 229 and this Executive Order. These powers and functions may be delegated to the regional offices of the Department in accordance with rules and regulations to be promulgated by the Board.[53]

Heirs of Cervantes v. Miranda[54] summarized the Department of Agrarian Reform Adjudication Board's jurisdiction as follows:

The [Department of Agrarian Reform Adjudication Board] has jurisdiction over agrarian disputes. An agrarian dispute refers to any controversy relating to tenurial arrangements, whether leasehold, tenancy, stewardship, or otherwise, over lands devoted to agriculture, including disputes concerning farmworkers' associations or representation of

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[51] Republic Act No. 9700 (2009) Sec. 19, amending the Comprehensive Agrarian Reform Law.

[52] Modifying Order No. 129 Reorganizing and Strengthening the Department of Agrarian Reform and for Other Purposes.

[53] Executive Order No. 129-A (1987), Sec. 13.

[54] 641 Phil. 553 (2010) [Per J. Carpio Morales, Third Division].

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persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of such tenurial arrangements. It includes any controversy relating to compensation of lands acquired and other terms and conditions of transfer of ownership from landowner to farmworkers, tenants, and other agrarian reform beneficiaries, whether the disputants stand in the proximate relation of farm operator and beneficiary, landowner and tenant, or lessor and lessee. It relates to any controversy relating to, among others, tenancy over lands devoted to agriculture.[55] (Citation omitted)

Here, the complaint filed before the Department of Agrarian Reform Adjudication Board is for the restoration and/or correction of entries in a land title. Granted there is no tenancy relationship between the parties, the issue still hinged on the determination of whether a farmer beneficiary agreed to the reallocation of a portion of the farmlots awarded to him. Thus, the Board rightfully had jurisdiction over the case. In *Department of Agrarian Reform v. Abdulwahid*:[56]

The Department of Agrarian Reform Adjudication Board (DARAB) is vested with primary and exclusive jurisdiction to determine and adjudicate agrarian reform matters, including all matters involving the implementation of the agrarian reform program. Thus, when a case is merely an *incident involving the implementation of the Comprehensive Agrarian Reform Program (CARP)*, then jurisdiction remains with the DARAB, and not with the regular courts.[57] (Emphasis supplied)

Even the ripening of an emancipation patent into a land title does not automatically divest the Board of its jurisdiction. This was emphasized in *Gabriel v. Jamias*[58] where this Court held that "the mere issuance of an emancipation patent does not put the ownership of the agrarian reform beneficiary beyond attack and scrutiny"[59] of the Department of Agrarian Reform Adjudication Board. *Gabriel* expounded:

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[55] Id. at 559.

[56] 570 Phil. 356 (2008) [Per C.J. Puno, First Division].

[57] Id. at 359.

[58] 587 Phil. 216 (2008) [Per J. Leonardo-de Castro, First Division].

[59] Id. at 231.

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It is well-settled that the DAR, through its adjudication arm, *i.e.*, the DARAB and its regional and provincial adjudication bards, exercises quasi-judicial functions and jurisdiction on all matters pertaining to an agrarian dispute or controversy and the implementation of agrarian reform laws. Pertinently, it is provided in the DARAB Revised Rules of Procedure that the DARAB has primary and exclusive jurisdiction, both original and appellate, to determine and adjudicate all agrarian disputes involving the implementation of the Comprehensive Agrarian Reform Program (CARP) and related agrarian reform laws. Such jurisdiction shall extend to cases involving the issuance, correction and cancellation of Certificates of Land Ownership Award (CLOAs) and Emancipation Patents which are registered with the Land Registration Authority.

. . . .

For sure, the jurisdiction of the DARAB cannot be deemed to disappear the moment a certificate of title is issued, for, such certificates are not modes of transfer of property but merely evidence of such transfer, and there can be no valid transfer of title should the CLOA, on which it was grounded, be void. The same holds true in the case of a certificate of title issued by virtue of a void emancipation patent.[60] (Citations omitted)

Respondent's petition for restoration and/or correction of entries in Transfer Certificate of Title No. EP-219 questioned the correct recipient of a portion of a lot awarded to a farmer beneficiary under Presidential Decree No. 27. Thus, it involved the implementation of the Comprehensive Agrarian Reform Program, putting it well within the jurisdiction of the Department of Agrarian Reform Adjudication Board.

Even the Regional Trial Court recognized the Department of Agrarian Reform's exclusive jurisdiction over the dispute when it dismissed respondent's complaint and directed her to instead file with the Department of Agrarian Reform. It stated:

The plaintiff Maria A. Villan should first commence her action assailing a transfer certificate of title issued pursuant to an emancipation patent implementing the agrarian reform law before the DAR before filing an action in court. The entire gamut of the controversy presented by her complaint in court hovers upon agrarian matters within the specialized

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[60] Id. at 230-231.

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competence by the DAR. A closer evaluation of the record reveals that controversial facts at issue occurred entirely within the DAR.

As may be noted, the plaintiff Maria A. Villan has gone to court without first filing her complaint with the DAR. This Court finds such action untimely.[61]

Clearly then, the Department of Agrarian Reform Adjudication Board, not the regular courts, had jurisdiction to hear and decide respondent's petition for restoration and/or correction of entries.

I (B)

Petitioner likewise assails the Department of Agrarian Reform Adjudication Board's supposed lack of jurisdiction over the Department of Agrarian Reform for its failure to issue summons on the latter's Provincial Agrarian Reform Office in Albay.[62]

Petitioner is mistaken.

Courts obtain jurisdiction over a person through the filing of a petition or the service of summons. Further, the Rules of Court provides that only parties-in-interest may participate in a suit. A party-in-interest is one who "stands to be benefited or injured by the judgment in the suit, or the party entitled to the avails of the suit."[63] This rule is echoed in the Department of Agrarian Reform Adjudication Board's Revised Rules of Procedure which also requires for every agrarian case to be "initiated and defended in the name of the real party-in-interest."[64]

Being a nominal or *pro forma* party, the Department of Agrarian Reform Provincial Office was impleaded "merely because the technical rules of pleadings require the presence of such party on the record"[65] and not because it had any interest in the proceedings.

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[61] *Rollo*, p. 52.

[62] Id. at 22-23.

[63] RULES OF COURT, Rule 3, Sec. 2.

[64] Department of Agrarian Reform Adjudication Board (DARAB) Revised Rules of Procedure (2021), Sec. 22.

[65] *Samaniego v. Aguila*, 389 Phil. 782, 787 (2000) [Per J. Mendoza, Second Division].

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It was not an indispensable party, as petitioner claims, because it was not a party "without whom no final determination can be had of an action."[66]

Aside from her bare allegations, petitioner also failed to substantiate her claim that the Department of Agrarian Reform Adjudication Board failed to issue summons to the Department of Agrarian Reform Provincial Office. Further, we note that petitioner only raised the issue of lack of summons for the first time in this Petition, as can be gleaned from the noticeable absence of the issue in the assailed Court of Appeals Decision as well as the issuances of the Department of Agrarian Reform Adjudication Board.

Nonetheless, jurisdiction was acquired through the Department of Agrarian Reform Provincial Office's participation in the proceedings which is tantamount to voluntary appearance and is equivalent to service of summons.[67]

II

Review of appeals is subject to this Court's sound judicial discretion.[68] As this Court is not a trier of facts, only questions of law should be raised in a Rule 45 petition.[69] Hence, factual findings of an appellate court are "final, binding or conclusive . . . upon this Court"[70] when backed by substantial evidence.[71] However, *Medina v. Mayor Asistio*[72] listed the 10 recognized exceptions to this general rule:

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66 Rules of Court, Rule 3, Sec. 7.

67 Rules of Court, Rule 14, Sec. 20.

68 Rules of Court, Rule 45, Sec. 6.

69 Rules of Court, Rule 45, Sec. 1.

70 *Commissioner of Internal Revenue v. Embroidery and Garments Industries (Phil.), Inc.*, 364 Phil. 541, 546 (1999) [Per J. Pardo, First Division].

71 See *Siasat v. Court of Appeals*, 425 Phil. 139, 145 (2002) [Per J. Pardo, First Division]; *Tabaco v. Court of Appeals*, 239 Phil. 485, 490 (1994) [Per J. Bellosillo, First Division]; and *Padilla v. Court of Appeals*, 241 Phil. 776, 781 (1988) [Per J. Paras, Second Division].

72 269 Phil. 225 (1990) [Per J. Bidin, Third Division].

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(1) When the conclusion is a finding grounded entirely on speculation, surmises or conjectures[;] (2) When the inference made is manifestly mistaken, absurd or impossible[;] (3) Where there is a grave abuse of discretion[;] (4) When the judgment is based on a misapprehension of facts[;] (5) When the findings of fact are conflicting[;] (6) When the Court of Appeals, in making its findings, went beyond the issues of the case and the same is contrary to the admissions of both appellant and appellee[;] (7) The findings of the Court of Appeals are contrary to those of the trial court[;] (8) When the findings of fact are conclusions without citation of specific evidence on which they are based[;] (9) When the facts set forth in the petition as well as in the petitioner's main and reply briefs are not disputed by the respondents[;] and (10) The finding of fact of the Court of Appeals is premised on the supposed absence of evidence and is contradicted by the evidence on record[.][73] (Citations omitted)

Petitioner wants this Court to revisit the Court of Appeals and Department of Agrarian Reform Adjudication Board's determination on who is the true farmer-beneficiary in the leasehold — a question of fact. However, she failed to allege any of the established exceptions to convince this Court to review the facts of the case.

Even then, a perusal of the records satisfies this Court that the assailed issuances of the Court of Appeals and Department of Agrarian Reform Adjudication Board are both supported by substantial evidence.

Citing Ministry Memo Circular No. 4, Series of 1986, the Regional Adjudicator found that Eutiquiano, despite the issuance of Transfer Certificate of Title No. EP-219, did not consent to the reallocation of the excess portion of his farmlot to his son-in-law.[74] This was shown when he continued to allow respondent to occupy a portion of the lot which was included in the reallocated portion.

Several public documents, which petitioner conveniently omitted to mention, also demonstrate that not only did Eutiquiano intend to bequeath a portion of the lot to his daughter, his entire

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[73] Id. at 232.

[74] *Rollo*, pp. 35-36.

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family, including petitioner and her husband, were also aware of and acknowledged respondent's share.

Petitioner's consent to transfer a portion of the lot to respondent as the latter's inheritance from Eutiquiano, was unmistakable in the extrajudicial settlement she executed along with respondent, their mother, and other siblings. Abella's affidavit of transfer also bolstered respondent's claim to 3,831 sq.m. of the lot. Clearly, respondent's right over the subject lot was not merely a way "to honor [Eutiquiano's] wish"[75] but was supported by a preponderance of evidence. The Court of Appeals thus found:

> Suffice it to add, as records bear out, that the intent of the original owner Eutiquiano Armario finds fruition in the findings and rulings of the concerned government agencies.
>
> Both the Office of the Regional Adjudicator and the Department of Agrarian Reform Adjudicator (sic) Board (DARAB) put premium on the following documents which showed the real intent of the original owner and the true circumstances in the allocation of the lot in issue, to wit:
>
> "1. Affidavit of ownership dated September 8, 1997, jointly executed of Eutiquiano T. Armario and Reynaldo Abella, which states among other the following, to wit:
>
> 1. *That we, are holders of Certificate of Land Transfer Nos. SN No. A-147187 and 147186, respectively, issued by the Department of Agrarian Reform over a parcel of land owned by Dr. Jose Locsin, situated at Bogtong, Legazpi City*;
> 2. *That as such CLT holder of SN A-147187 gave up the Title in favor of my daughter MRS. MARIA ARMARIO-VILLAN; and as such a CLT holder of SN A-147186 gave up a portion of my Title ("1 paras" in front and "1 paras" at the back of the SN A-147187 lot and the upland where her home is presently situated) in favor of Mrs. Villan*;
> 3. *That we gave her the full rights for the relocation and ownership of the relocated portion*.

[75] Id. at 27.

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2. Extrajudicial Partition of Estate dated December 9, 1997, executed by the surviving heirs of Eutiquiano Armario, which states:

> *. . . That Maria A. Villan has also received from her father Eutiquiano Armario her share in inheritance from the estate which is that parcel of land covered by Transfer Certificate of Title No. EP-218, Lot No. 1713-B-1 of the subdivision plan, etc. situated at Bogtong, Legazpi City, with an area of 1,000 square meters and SN A-147186 "1 paras" in front and "1 paras" at the back of SN A-147186 and the upland where her house is presently constructed to be deducted from the share of Adalla (sic) A. Abella, and also be these presents hereby waives whatever shares in inheritance from the two parcels of land described herein in favor of her other brothers and sisters.*

3. Affidavit executed by Reynaldo Abella stated January 6, 2000, which states among others the following, to wit:

> 1. *That I am the registered owner of Transfer Certificate of Title (TCT) No. EP-219 (SN No. A-147186) issued by the Department of Agrarian Reform as an inheritance from the Estate of Eutiquiano Armario*;
>
> 2. *That I gave up portion of this parcel of land which is Three Thousand Eight Hundred Thirty One (3,831) Square Meters in favor of MRS. MARIA ARMARIO-VILLAN, sister of my wife, as part of her inheritance from the Estate of Eutiquiano Armario*.

Verily, these documents reflect and manifest the real intention of farmer-beneficiary Eutiquiano Armario that the subject lot be given to herein appellant as heir-beneficiary in accordance with the provisions of R.A. No. 6657, where lands acquired by beneficiaries under the said Act may be transferred and conveyed only through hereditary succession.[76] (Emphasis in the original)

This Court has generally accorded respect to the findings of fact of administrative agencies and quasi-judicial bodies, like the Department of Agrarian Reform Adjudication Board, in view of their recognized expertise on technical matters within their jurisdiction. In this case, the Department of Agrarian Reform

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[76] Id. at 53-55.

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Adjudication Board and its provincial adjudicator's findings were duly supported by the evidence on record. Hence, there is no reason to depart from the general rule.

WHEREFORE, the Petition is **DENIED**.

SO ORDERED.

Lazaro-Javier, M. Lopez, Marquez,[*] and *Kho, Jr., JJ.*, concur.

APPEARANCES OF COUNSEL

Brotamante Law Office for petitioner.
Romeo B. Igot for respondent.

[*] Designated additional Member per Raffle dated March 30, 2022.