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an explicit finding on the part of the Court of Appeals in its Decision of September 30, 1994 in CA-G.R. No. 35086 — that the herein petitioner failed to exercise its equity of redemption within the prescribed period, redemption can no longer be effected. The confirmation of the sale and the issuance of the transfer certificates of title covering the subject properties to private respondent was then, in order. The trial court therefore, has the ministerial duty to place private respondent in the possession of subject properties.

WHEREFORE, the petition is DENIED, and the assailed decision of the Court of Appeals, declaring null and void the Order dated 21 July and Order dated 4 September 1997 of the Regional Trial Court of Makati City in Civil Case No. 89-5424, ***AFFIRMED.*** No pronouncement as to costs.

SO ORDERED.

Melo (Chairman), Vitug, and Panganiban and *Gonzaga-Reyes, JJ., concur.*

THIRD DIVISION

[A.M. No. RTJ-00-1582. September 4, 2000]
(formerly A.M. OCA IPI No. 98-487-RTJ)

COB C. DE LA CRUZ, *complainant, vs.* **JUDGE RODOLFO M. SERRANO, RTC-BR. 17 KIDAPAWAN, NORTH COTABATO,** *respondent.*

SYNOPSIS

Cob C. de la Cruz filed an administrative complaint against Judge Rodolfo M. Serrano for dishonesty, falsehood, and negligence in the disposition of Civil Case No. 908. He alleged, among others, that the decision rendered by respondent judge did not conform with the facts and contents of the exhibits and that it took him one year and five months to render judgment

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from the date the case was submitted for decision. In his comment, respondent judge prayed for the dismissal of the complaint by claiming that the grounds for the charges were proper for appeal. He also reasoned out that the delay in the disposition of Civil Case No. 908 was attributable to herein complainant who sought several postponements of the hearing of the case and that respondent judge gave preferential attention to criminal cases involving detention prisoners and those who were accused of heinous crimes.

This Court ruled that the charges hurled at respondent were clearly matters which are better addressed in an appeal of the decision and that the decision of respondent Judge was the subject of an appeal to the Court of Appeals in CA-G.R. No. 57997. The First Division of said appellate court rendered judgment on May 18, 1998 affirming the decision of respondent judge. Complainant's motion for reconsideration thereto was likewise denied in the Resolution of January 21, 2000. Clearly, the Court cannot sustain complainant's charge of "dishonestly, negligently and unjustly" deciding Civil Case No. 908. However, a delay in the disposition of cases amounts to a denial of justice, brings the court into disrepute and ultimately erodes public faith and confidence in the judiciary. The Court held that the failure of a judge to render a decision within the prescribed period of ninety (90) days from submission of a case for decision constitutes serious misconduct to the detriment of the honor and integrity of his office and in derogation of speedy administration of justice. Inability to decide a case within the required period is not excusable and constitutes gross inefficiency and subjects the judge to administrative sanctions.

Respondent Judge Rodolfo M. Serrano was FINED in the amount of Five Thousand Pesos (₱5,000.00).

SYLLABUS

1. **LEGAL AND JUDICIAL ETHICS; CHARGES AGAINST JUDGES; ON BASIS OF A DECISION RENDERED WHICH WAS SUBSEQUENTLY APPEALED AND AFFIRMED BY APPELLATE COURT CANNOT BE SUSTAINED.** — The charges hurled at respondent are clearly matters which are better addressed in an appeal of the decision and it appears that the decision of respondent Judge was the subject of an appeal to the Court of Appeals in CA-G.R. CV No. 57997. The First Division

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of said court rendered judgment on May 18, 1998 affirming the decision of respondent Judge. Complainant's motion for reconsideration thereto was likewise denied in the Resolution of January 21, 2000. Clearly, we cannot sustain complainant's charge of "dishonestly, negligently and unjustly" deciding Civil Case No. 908.

2. **ID.; CODE OF JUDICIAL CONDUCT; A JUDGE SHOULD ADMINISTER JUSTICE IMPARTIALLY AND WITHOUT DELAY; CASES BEFORE LOWER COURTS MUST BE DECIDED OR RESOLVED WITHIN THREE MONTHS FROM DATE OF SUBMISSION**— Section 15 (1) of Article VIII of the Constitution provides that all cases filed before the lower courts must be decided or resolved within three (3) months from date of submission. The Code of Judicial Conduct likewise provides that a judge "should administer justice impartially and without delay" and directs a judge to "dispose of the court's business promptly and decide cases within the required periods."

3. **ID.; ID.; ID.; ID.; VIOLATED IN CASE AT BAR.** — Anent the charge that respondent Judge is guilty of delay in deciding Civil Case No. 908, respondent Judge attributed the delay to the several postponements by complainant's counsel and in giving preferential attention to the trial of criminal cases involving detained prisoners charged with heinous crimes. It is not disputed that it took respondent Judge one (1) year and five (5) months, after Civil Case No. 908 was submitted for decision, to decide it which is way beyond the three-month period mandated by the Constitution.

4. **ID.; ID.; ID.; JUSTICE DELAYED IS OFTEN JUSTICE DENIED.** — It is an oft-repeated maxim that justice delayed is often justice denied. Thus, any delay in the administration of justice may result in depriving the litigant of his right to a speedy disposition of his case and will ultimately affect the image of the judiciary. A delay in the disposition of cases amounts to a denial of justice, brings the court into disrepute and ultimately erodes public faith and confidence in the judiciary.

5. **ID.; ID.; ID.; FAILURE TO RENDER DECISION WITHIN A 90-DAY PERIOD CONSTITUTES SERIOUS MISCONDUCT AND GROSS INEFFFICIENCY.** — We have held that the failure of a judge to render a decision within the prescribed period of ninety (90) days from submission of a case for decision

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constitutes serious misconduct to the detriment of the honor and integrity of his office and in derogation of speedy administration of justice. Inability to decide a case within the required period is not excusable and constitutes gross inefficiency and subjects the judge to administrative sanctions.

6. ID.; ID.; ID.; ID.; RECOMMENDED FINE OF ₱10,000.00 WAS REDUCED TO P5,000.00. — While we agree with the Court Administrator that respondent Judge should be liable for his failure to decide Civil Case No. 908 within the three-month reglementary period, the fine in the amount of ten thousand pesos (₱10,000.00) recommended by the Court Administrator is too harsh and the same should be reduced to five thousand pesos (₱5,000.00)

RESOLUTION

GONZAGA-REYES, *J* :

In the present administrative case, complainant Cob C. de la Cruz charges respondent Judge Rodolfo M. Serrano of the Regional Trial Court of Kidapawan, North Cotabato, Branch 17 with dishonesty, falsehood and negligence in the disposition of Civil Case No. 908, for recovery of possession, removal of improvement and damages.

Complainant alleges, *inter alia*, that respondent, with partiality decided Civil Case No. 908 by suppressing evidence which is Municipal Resolution No. 83, series of 1964; that respondent "invented" Municipal Resolution series of 1966 which purports to be legal and valid when in fact it does not exist and was never introduced by complainant as his exhibit in court; that respondent intentionally misread and misconstrued Exhibit 4 which is the Tax Declaration of Real Property No. 5802; that the decision did not conform with the facts and contents of the exhibit; that respondent did not dig deeper to find the truth; that it took respondent Judge one (1) year and five (5) months, instead of three (3) months, to render a decision in said Civil Case No. 908 which was submitted for decision last April 1996 but the decision thereon was promulgated only on October 8, 1997. Complainant prays for the removal of respondent Judge from public service and such other relief as may be just and fair.

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In his Comment, respondent Judge prays for the dismissal of the complaint claiming that the charges are baseless, frivolous and unmeritorious; that the grounds for the charges are proper for appeal; and that complainant acted with malice, hatred and revenge. He further avers that the delay in the disposition of Civil Case No. 908 was attributable to complainant who sought several postponements of the hearing of the case. He further argues that he gave preferential attention to criminal cases involving detention prisoners and those who were accused of heinous crimes.

In the Resolution dated April 12, 2000, this Court required the parties to manifest if they are willing to submit case on the basis of the pleadings/records already filed and submitted. Both parties filed their separate Manifestations stating that they are submitting the case for decision/resolution on the basis of the pleadings/records filed.

The Court Administrator recommended that respondent Judge be fined in the amount of Ten Thousand Pesos (₱10,000.00) for his failure to decide Civil Case No. 908 within the reglementary period of three (3) months.

The charges hurled at respondent are clearly matters which are better addressed in an appeal of the decision and it appears that the decision of respondent Judge was the subject of an appeal to the Court of Appeals in CA-G.R. CV No. 57997. The First Division of said court rendered judgment on May 18, 1998 affirming the decision of respondent Judge. Complainant's motion for reconsideration thereto was likewise denied in the Resolution of January 21, 2000. Clearly, we cannot sustain complainant's charge of "dishonestly, negligently and unjustly" deciding Civil Case No. 908.

Anent the charge that respondent Judge is guilty of delay in deciding Civil Case No. 908, respondent Judge attributed the delay to the several postponements by complainant's counsel and in giving preferential attention to the trial of criminal cases involving detained prisoners charged with heinous crimes. It is not disputed that it took respondent Judge one (1) year and five (5) months, after Civil Case No 908 was submitted for

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decision, to decide it which is way beyond the three-month period mandated by the Constitution.

Section 15 (1) of Article VIII of the Constitution provides that all cases filed before the lower courts must be decided or resolved within three (3) months from date of submission. The Code of Judicial Conduct likewise provides that a judge "should administer justice impartially and without delay"[1] and directs a judge to "dispose of the court's business promptly and decide cases within the required periods."[2]

It is an oft-repeated maxim that justice delayed is often justice denied. Thus, any delay in the administration of justice may result in depriving the litigant of his right to a speedy disposition of his case and will ultimately affect the image of the judiciary. A delay in the disposition of cases amounts to a denial of justice, brings the court into disrepute and ultimately erodes public faith and confidence in the judiciary.[3] We have held that the failure of a judge to render a decision within the prescribed period of ninety (90) days from submission of a case for decision constitutes serious misconduct to the detriment of the honor and integrity of his office and in derogation of speedy administration of justice. Inability to decide a case within the required period is not excusable and constitutes gross inefficiency[4] and subjects the judge to administrative sanctions.[5]

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[1] Rule 1.02.

[2] Rule 3.05.

[3] *Re: Report on the Judicial Audit Conducted in the Municipal Circuit Trial Court, Dingle-Duenas, Iloilo,* A.M. No. 97-9-97-MCTC, 280 SCRA 637.

[4] *Re: Report on the Judicial Audit Conducted in the Regional Trial Court,* Branch 68, Camiling, Tarlac, A.M. No. 97-6-182-RTC, prom. March 19, 1999; *Saylo vs. Rojo,* A.M. No. MTJ-99-1225, April 12, 2000; *Re: Report on the Judicial Audit Conducted in RTC Branches 29 and 59, Toledo City,* 292 SCRA 8.

[5] *Lambino vs. De Vera,* 275 SCRA 60; Re: *Report on the Judicial Audit Conducted in the Regional Trial Court Branches 61, 134 and 147,* Makati, Metro Manila, 248 SCRA 5; *Re: Judge Liberato C. Cortes,* 242 SCRA 167.

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While we agree with the Court Administrator that respondent Judge should be liable for his failure to decide Civil Case No. 908 within the three-month reglementary period, the fine in the amount of ten thousand pesos (₱10,000.00) recommended by the Court Administrator is too harsh and the same should be reduced to five thousand pesos (₱5,000 00)

WHEREFORE, respondent Judge Rodolfo M. Serrano of the Regional Trial Court of Kidapawan, North Cotabato, Branch 17 is hereby held administratively liable for his failure to decide Civil Case No. 908 within the reglementary period and is *FINED* in the amount of Five Thousand Pesos (₱5,000.00) with a *STERN WARNING* that a repetition of the same or similar acts in the future will be dealt with more severely.

SO ORDERED.

Melo (Chairman), Vitug, Panganiban and *Purisima, JJ.*, concur.

EN BANC

[G.R. No. 134763. September 4, 2000]

PEOPLE OF THE PHILIPPINES, *plaintiff-appellee, vs.* **WILFREDO RIGLOS** *y* **RAMOS and LAMBERTO RIGLOS,** *accused.* **WILFREDO RIGLOS** *y* **RAMOS,** *accused-appellant.*

SYNOPSIS

Wifredo Riglos and Lamberto Riglos were charged with the crime of murder for the death of Camilo Valdez. Wilfredo Riglos was arrested while Lamberto Riglos remained at large. During trial, the prosecution presented the widow of the victim Adelina Valdez and their 13-year old son Jerry Valdez. The facts established were that on May 23, 1995 at about 6:30 p.m. spouses Camilo and Adelina Valdez were sitting and facing each other at the terrace of their house while Jerry was around seven meters away from them under the acacia tree, making a toy