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FIRST DIVISION

[G.R. No. L-35680. December 29, 1975]

CONRADO MANDAP, *petitioner, vs.* **THE HON. COURT OF APPEALS and MANUEL SABADO,** *respondents.*

SYLLABUS

REMEDIAL LAW; CIVIL PROCEDURE; PETITION FOR REVIEW; COMPROMISE; PARTIES ENJOINED TO ABIDE BY TERMS OF COMPROMISE. — Where after a petition for review on *certiorari* had been submitted for decision, the parties submitted a compromise agreement to terminate the case and the Supreme Court approved said agreement and rendered judgment in accordance therewith, the parties are enjoined to comply with, and abide by its terms and conditions.

APPEARANCES OF COUNSEL

Oseas A. Martin, Bureau of Agrarian Legal Assistance for petitioner.

Poblador, Nazareno, Azada, Tomacruz & Paredes for private respondent.

D E C I S I O N

ESGUERRA, *J.*:

This is a petition for review on *certiorari* of the decision of the Court of Appeals affirming that of the Court of Agrarian Relations, ordering the dispossession of petitioner Conrado Mandap, or any person claiming to possess under him, of the landholding in question, consisting of three hectares situated at Barrio San Rafael, Municipality of Macabebe, Province of Pampanga, and allowing respondent Manuel Sabado to personally cultivate the same after paying to the petitioner the amount of ₱3,000.00 as disturbance compensation.

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After this case had been submitted for decision on October 1, 1973, the petitioner, assisted by the Bureau of Agrarian Legal Assistance, and the respondent submitted a compromise agreement to terminate this case, which reads as follows:

"*COMPROMISE AGREEMENT*

"COME NOW the Parties assisted by their respective counsel, and to this Honorable Supreme Court respectfully submit the following Compromise Agreement:

"1. Petitioner Conrado Mandap and private respondent Manuel Sabado stipulate that the landholding in question is agricultural containing an area of 3.6360 hectares, more or less, covered by TCT No. 64656-R of the Register of Deeds of Pampanga and situated in Barrio San Rafael, Municipality of Macabebe, Province of Pampanga.

"2. Petitioner agrees that private respondent retains ownership of the aforementioned landholding in question.

"3. In turn, private respondent agrees that petitioner remains the agricultural lessee of the landholding in question.

"4. Petitioner agrees to pay the private respondent the following rental every agricultural year beginning the date of this Agreement:

"a) Seventy (70) cavans of rice on the principal first crop; and

"b) 25% of the harvest on the "*latak*" second crop, if there is harvest.

"WHEREFORE, it is respectfully prayed that the foregoing Compromise Agreement be approved and a decision be rendered in accordance with its terms and conditions.

"Manila, December 3, 1915.

"S/ CONRADO MANDAP
T/ CONRADO MANDAP
Petitioner

S/MANUEL SABADO
T/MANUEL SABADO
Private Respondent.

Assisted by:

"BUREAU OF AGRARIAN
LEGAL ASSISTANCE
Dept. of Agrarian Reforms
PTA Building
Diliman, Quezon City

POBLADOR, NAZARENO,
AZADA, TOMACRUZ & PAREDES
575 Atlanta, Port Area, Manila

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"By:

S/ OSEAS A. MARTIN
T/ OSEAS A. MARTIN
Trial Attorney

By:

S/ MANUEL SABADO
T/ MANUEL SABADO
Counsel for Private Respondent
PTR No 1397, Jan. 3, 1975, Mla.

"*VERIFICATION*

"MANUEL SABADO and CONRADO MANDAP, both of legal age, and respectively residents of 38 11th Avenue, Cubao, Quezon City and San Rafael, Macabebe, Pampanga, after having been duly sworn to in accordance with law, hereby depose and state:

"That they are the private respondent and petitioner, respectively, in the above-entitled case;

"2. That they caused the preparation of and have read the foregoing Compromise Agreement;

"3. That the allegations contained therein were translated into Pampanga to petitioner Conrado Mandap; and

"4. That all the allegations contained therein are true and correct to the best of their own knowledge.

S/ MANUEL SABADO
T/ MANUEL SABADO

S/ CONRADO MANDAP
T/ CONRADO MANDAP

"SUBSCRIBED AND SWORN to before me this 8 day of December, 1975 at Manila, Philippines, affiants exhibiting to me their respective Res. Certs. No. A-13757 issued at Manila on January 3, 1975 and A-8070809 issued at Masantol, Pampanga on Feb. 25, 1975.

S/ ILLEGIBLE
Notary Public
Until December 31, 1975"

WHEREFORE, the above Compromise Agreement is hereby approved. Judgment is hereby rendered in accordance therewith and the parties are hereby enjoined to comply with, and abide by, its terms and conditions.

Teehankee (Actg. Chairman), Makasiar, Muñoz Palma, and *Martin, JJ.*, concur.