Supreme Court E-Library

SECOND DIVISION

[A.M. No. 1770. March 28, 1978]

IGNACIO REYDADO, *complainant*, *vs.* **CARMENCITA R. DE CASTRO**, *respondent.*

SYLLABUS

LEGAL ETHICS; ATTORNEYS; DISBARMENT PROCEEDINGS; DISMISSAL.— A disbarment proceeding against a member of the bar will be dismissed where the complainant withdrew the complaint on the ground that the same was an offshoot of a misunderstanding between the parties which had "already been amicably settled."

R E S O L U T I O N

AQUINO, *J.*:

This is a disbarment proceeding against Carmencita R. de Castro who was admitted to the bar in 1963. On June 10, 1977 Ignacio Reydado filed a verified complaint charging Atty. De Castro with deceit or gross misconduct.

He alleged that Atty. De Castro had agreed to file a registration proceeding for his lot, with an area of 5,795 square meters, located in Meycauayan, Bulacan and that the respondent made him sign a document, which he erroneously thought was a contract for professional services but which turned out to be a deed of sale of a 3,000 square-meter portion of his lot in favor of Norma Laperal whom he had never met before.

Respondent's version in her answer is that she prepared for complainant Reydado on July 9, 1975 a deed of extrajudicial settlement whereby the said lot was adjudicated to the complainant as heir of his uncle, Oligario Frias; that the 3,000 square-meter portion of the lot was sold to respondent's sister-in-law, Norma Laperal on July 25, 1975 for ₱8,000.00; that the complainant later tried to cancel the sale; that on December 20, 1976 Mercedes F. Villarica filed with the Court of First Instance of

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Bulacan an application for the registration in her name of the said lot, and that the complainant and Norma Laperal filed oppositions to the said application.

The case was referred to the Solicitor General for investigation, report and recommendation. At the hearing on February 28, 1978 complainant Reydado filed a verified motion for the withdrawal of his complaint. He alleged that his complaint was an offshoot of a misunderstanding between the parties which had "already been amicably settled." The respondent did not register any objection to the said motion.

WHEREFORE, this case is dismissed and considered closed.

SO ORDERED.

Fernando (Chairman), Barredo, Antonio, Concepcion Jr., and *Santos, JJ.*, concur.

SECOND DIVISION

[G.R. No. L-46681. March 28, 1978]

ANA I. RABANAL, *petitioner, vs.* **REPUBLIC OF THE PHILIPPINES (Bureau of Public Schools),** *respondent.*

SYLLABUS

LABOR AND SOCIAL LEGISLATION; WORKMEN'S COMPENSATION ACT; AILMENT AND DEATH OF TEACHER IN CASE AT BAR PRESUMED TO HAVE BEEN AGGRAVATED BY HIS WORK.— Attys. Ernesto H. Cruz and Lydia Arada-Navarro of the Legal Division of the Department of Labor in a manifestation dated March 1, 1978 admitted that the death of Julian Rabanal occurred in the course of his employment as a public school teacher and that his ailments were presumed to have been aggravated by his work. They