107 Phil. 313

[A.C. No. 228. March 09, 1960]

PANFILO ROYO, COMPLAINANT, VS. CELSO T. OLIVA, RESPONDENT.

D E C I S I O N

MONTEMAYOR, J.:

The last two paragraphs of our decision in Administrative Case No. 228, entitled Panfilo Royo, complainant, *vs*. Celso T. Oliva, respondent, for malpractice, promulgated on April 16, 1958, read as follows:

> "Consistent with our policy to maintain the high traditions and standards of the legal profession, insure the observance of legal ethics, protect the interests of clients and help keep their faith in attorneys at law, we are constrained to deal firmly with cases like the present,"
>
> "We find Atty. Celso T. Oliva guilty of malpractice and violation of his oath as lawyer. He is hereby ordered disbarred and he is directed to surrender his lawyer's diploma, his certificate of admission to the Bar, and any other certificate issued to him relative to his admission to the Bar, within thirty (30) days from notice of this decision."

Respondent Oliva on May 16, 1958, filed a Motion for reconsideration, adducing reasons in support thereof, as well as citations of cases of malpractice, particularly, the punishment or disciplinary action imposed and taken against erring members of the Bar. The motion for reconsideration was denied.

On November 16, 1959, respondent Oliva filed a "Petition for the Lifting of the Order of Disbarment", again giving reasons to support his petition and citing cases of malpractice decided by this Tribunal and drawing a comparison of the measures of discipline and punishment adopted against members of the Bar for malpractice and the punishment imposed upon him. Again, his petition was denied.

On February 20, 1960, respondent filed a "Petition Ex-Parte for the Lifting of the Order of Disbarment". After carefully considering this last petition, as we have done the previous motion for reconsideration and the petition for the lifting of the order of disbarment, and after considering as a whole all the reasons and cases given and cited by him in his three pleadings, and bearing in mind that almost two years have passed since he was ordered disbarred, and taking into account the circumstances involved in this case, and in the belief and confidence that respondent Oliva has been sufficiently

punished and disciplined, his petition is hereby granted and the order contained in our decision disbarring him is hereby lifted. Attorney Celso T. Oliva is hereby reinstated in the legal profession and restored to the practice of law, and the Clerk of Court is directed to return to him his lawyer's diploma, his certificate of admission to the Bar, and any other certificate issued to him relative to his admission to the Bar.

Paras, C. J., Bengzon, Bautista Angelo, Labrador, Concepcion, Reyes, J. B. L., Endencia, Barrera, and *Gutierrez David, JJ.,* concur.

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