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they had introduced on the land. Justice Teehankee (now Chief Justice) concurred on the same premise as the dissenting opinion of Justice Muñoz Palma that both the conflicting buyers of the real property in question, namely petitioner Carbonell as the first buyer and respondents Infantes as the second buyer, may be deemed purchasers in good faith at the respective dates of their purchase. Justice Muñoz Palma dissented on the ground that since both purchasers were undoubtedly in good faith, respondents Infantes' prior registration of the sale in good faith entitled them to the ownership of the land. Inasmuch as only four Members concurred in ruling that respondents Infantes were possessors in bad faith and two Members ruled that they were possessors in good faith, said decision does not establish a precedent. Moreover, the equitable consideration present in said case are not present in the case at bar.

WHEREFORE, the decision of the appellate court is affirmed with costs against petitioner.

SO ORDERED.

Fernan Gutierrez, Jr., Paras, and Cruz, JJ., concur.

Alampay, J.,*** took no part.

EN BANC

[Adm. Matter No. 141-MTJ. August 26, 1986]

RE: CONVICTION OF MUNICIPAL CIRCUIT JUDGE AMANDITO D. ARANETA BY THE SANDIGANBAYAN IN CRIMINAL CASE NO. 7220.

*** Justice Alampay took no part. Justice Cruz was designated to sit in the Second Division.

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[Adm. Matter No. R-478-MTJ. August 26, 1986]

SANCHO BALAYON, ET AL., *complainants, vs.* HON. AMANDITO D. ARANETA, Municipal Trial Court, Norala, South Cotabato.

SYLLABUS

1. **ADMINISTRATIVE SUPERVISION OVER COURTS; JUDGES; INFIDELITY IN THE CUSTODY OF PRISONERS; PENALTY; CASE AT BAR.**— On June 6, 1984, the Ministry of Justice referred to this Court copy of the Decision of the Second Division of the Sandiganbayan in Criminal Case No. 7220 entitled "People of the Philippines *vs.* Judge Amandito D. Araneta" finding the latter guilty beyond reasonable doubt of Infidelity in the Custody of Prisoners. In respondent Judge's conviction beyond reasonable doubt of the crime of Infidelity in the Custody of Prisoners, it was found that he had misused and abused the powers of his office in that, for a period of about five (5) months, he had asked for the assignment of detention prisoners to perform domestic chores and/or to do carpentry work in a store owned by him beside his house; that those prisoners were never under guard and went back and forth from respondent's house to the jail, which was about 500 meters away from said place; that the entries in the logbook kept by the Norala Police Station showed that the custody of those prisoners were transferred to respondent Judge: that on December 1, 1979, in particular, after the conclusion of the work at his place, he ordered three detention prisoners to return to jail by themselves and that one of the three, against whom serious charges for Murder and Double Frustrated Murder were still pending preliminary investigation before the sala of respondent Judge, was thus able to escape. Such conduct on the part of respondent Judge, was highly prejudicial to the service, gravely inimical to the interest of justice, and has rendered him miserably unfit for continuance in office. It is rather obvious that the prayer for respondent Judge's immediate relief from the service in Adm. Matter No. R-478-MTJ can and should be granted without need for delving into the reasons advanced therein. Respondent Judge is hereby ordered dismissed from the service, with forfeiture of all retirement benefits and pay, and with prejudice to reinstatement in any branch of the government or any of its agencies or instrumentalities.

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DECISION

PER CURIAM:

On June 6, 1984, the Ministry of Justice referred to this Court copy of the Decision of the Second Division of the Sandiganbayan in Criminal Case No. 7220 entitled "*People of the Philippines vs. Judge Amandito D. Araneta*" finding the latter guilty beyond reasonable doubt of Infidelity in the Custody of Prisoners and sentencing him "to suffer an indeterminate penalty ranging from three (3) months and one (1) day of *arresto mayor,* as minimum, to one (1) year, eight (8) months and one (1) day of *prision correccional,* as maximum; to suffer temporary special disqualification from six (6) years and one (1) day to eight (8) years; and, to pay the costs."

In a Resolution, dated July 10, 1984, this Court "Resolved to DIRECT the Office of the Court Administrator to file an administrative case against respondent." Accordingly, on July 19, 1984, respondent Judge was administratively charged in Adm. Matter No. R-141-MTJ with neglect of duty and conduct prejudicial to the best interest of the service, and was directed to file an answer/explanation. No answer/explanation has been submitted by respondent.

The records show that the Sandiganbayan had suspended respondent Judge, *pendente lite,* from office as of July 1, 1983; and that after conviction, he was placed under probation by that Court.

In the meantime, in Adm. Matter No. R-478-MTJ, this Court received Resolution No. 83-01 unanimously approved by the Peace & Order Council of Norala, South Cotabato, requesting for the immediate relief or dismissal from the service of respondent Judge for Ignorance of the Law, Oppressive Act and Partiality and other acts prejudicial to the interest of justice.

The mentioned Resolution alleged that respondent Judge had dismissed Criminal Case No. 1014 of his Court for malicious mischief without arraignment of the accused, trial or hearing; that he had refused to act on a criminal complaint involving the death of Pat. Nonilon D. Lim, reasoning that he was planning

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to go on leave, but that when prevailed upon to act on the complaint, he required a P45,000.00 bail bond for the release of the accused who is an escapee; and that respondent Judge is seldom in his office.

In respondent Judge's conviction beyond reasonable doubt of the crime of Infidelity in the Custody of Prisoners, it was found that he had misused and abused the powers of his office in that, for a period of about five (5) months, he had asked for the assignment of detention prisoners to perform domestic chores and/or to do carpentry work in a store owned by him beside his house; that those prisoners were never under guard and went back and forth from respondent's house to the jail, which was about 500 meters away from said place; that the entries in the logbook kept by the Norala Police Station showed that the custody of those prisoners were transferred to respondent Judge; that on December 1, 1979, in particular, after the conclusion of the work at his place, he ordered three detention prisoners to return to jail by themselves and that one of the three, against whom serious charges for Murder and Double Frustrated Murder were still pending preliminary investigation before the sala of respondent Judge, was thus able to escape. Such conduct on the part of respondent Judge was highly prejudicial to the service, gravely inimical to the interest of justice, and has rendered him miserably unfit for continuance in office.

It is rather obvious that the prayer for respondent Judge's immediate relief from the service in Adm. Matter No. R-478-MTJ can and should be granted without need for delving into the reasons advanced therein.

WHEREFORE, respondent Judge is hereby ordered dismissed from the service, with forfeiture of all retirement benefits and pay, and with prejudice to reinstatement in any branch of the government or any of its agencies or instrumentalities.

This Decision is immediately executory.

SO ORDERED.

Teehankee, C.J., Feria, Yap, Fernan, Narvasa, Melencio-Herrera, Alampay, Gutierrez, Jr., Cruz, and Paras, JJ., concur.

Feliciano, J., on leave.