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from the denial of petitioner's claim by the Employees Compensation Commission.

In lieu thereof, the Court *SETS ASIDE* the decision of the Employees' Compensation Commission and orders the Social Security System to pay petitioner full disability benefits as provided for under P.D. No. 626, as amended.

No costs.

SO ORDERED.

Puno, Kapunan and *Ynares-Santiago, JJ.*, concur.

Davide, Jr., C.J., I respectfully dissent. I vote to affirm.

SECOND DIVISION

[A.M. No. MTJ-00-1319. September 27, 2000]

ROLANDO A. SULLA, *complainant, vs.* **HON. RODOLFO C. RAMOS, Presiding Judge, 1st MCTC, San Miguel-Tunga, Leyte and MTC, Jaro, Leyte,** *respondent.*

SYNOPSIS

Respondent judge was charged by complainant with unreasonable delay or refusal to render a decision in Criminal Case No. 8121.

For failure to decide said criminal case for more than two (2) years, the Office of the Court Administrator (OCA) found respondent judge liable for gross inefficiency and recommended that the latter be fined for ₱20,000.00.

The Supreme Court agreed with the findings of the OCA, reminding judges of the need to decide cases promptly because justice delayed is justice denied; but reduced the fine imposed from ₱20,000.00 to ₱5,000.00.

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SYLLABUS

LEGAL AND JUDICIAL ETHICS; JUDGES; ADMINISTRATIVE COMPLAINT AGAINST JUDGES; GROSS INEFFICIENCY; FAILURE TO DECIDE CASE WITHIN THE REQUIRED PERIOD CONSTITUTES GROSS INEFFICIENCY; CASE AT BAR. — This Court has consistently impressed upon judges the need to decide cases promptly and expeditiously pursuant to Rule 3.05, Canon 3 of the Code of Judicial Conduct and Section 15(1) and (2), Article VIII of the Constitution. This requirement is designed to prevent delay in the administration of justice because justice delayed is justice denied; and delay in the disposition of cases erodes the faith and confidence of our people, lowers its standards and brings it into disrepute. This Court notes from the letters of Dr. Sulla, a father's frustration with the justice system, having had to wait more than (2) years for the resolution of the case which he hopes would bring justice to his minor daughter. Guarding against this danger is precisely the reason why this Court has repeatedly reminded judges that failure to decide cases within the required period constitutes gross inefficiency for which the erring judge is subject to administrative sanctions.

RESOLUTION

DE LEON, JR., *J.*:

For resolution is the letter-complaint dated May 21, 1999 of Dr. Rolando A.Sulla charging respondent Judge Rodolfo C. Ramos, presiding judge of the Municipal Trial Court of Jaro, Leyte, with unreasonable delay or refusal to render a decision in Criminal Case No. 8121.

Dr. Sulla states that for and in behalf of her minor daughter, Marissa T. Sulla, he filed said criminal case for acts of lasciviousness against Esmeraldo Talacay. The case was submitted for decision in April 1997 yet. But as of May 21, 1999, date of complainant's letter, and despite constant requests for its early resolution, respondent Judge Ramos has not rendered any decision in the said case. Dr. Sulla expressed fear that the delay in the disposition of the case may be due to pressure

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from the other party, and that with the forthcoming retirement of respondent Judge Ramos, the case will only be decided by his successor.

In his Comment dated August 4, 1999, Judge Ramos contends that Criminal Case No. 8121 was submitted for decision on July 9, 1997 and not April 1997 as alleged by Dr. Sulla. He explains that due to heavy pressure of work, his indefinite designation as acting presiding judge of the 1st Municipal Circuit Trial Court of San Miguel-Tunga, Leyte and his poor health, he was not able to decide the said criminal case within the ninety (90)-day reglementary period. Judge Ramos also denied the allegations of Dr. Sulla that he was the subject of pressure from the opposing party and that he was about to retire from the Judiciary. In his subsequent Comment dated August 18, 1999, Judge Ramos manifested that "he is now preparing the decision of said criminal case, aimed that the decision thereof can be rendered as early or immediately as possible under said circumstances."[1]

On November 5, 1999, however, Dr. Sulla wrote the Office of the Court Administrator (OCA) requesting assistance for the early resolution of Criminal Case No. 8121. Dr. Sulla pointed out that despite the manifestation in his Comment dated August 18, 1999, Judge Ramos has not rendered a decision in the said case. In another letter dated January 21, 2000, Dr. Sulla informed the OCA of the continued inaction of Judge Ramos in Criminal Case No. 8121 notwithstanding the latter's earlier request to the OCA that he be granted an extension of thirty (30) days from December 15, 1999 to decide the same.

After careful evaluation of the record of the case, the OCA reported to this Court that there was indeed an undue delay in the resolution of Criminal Case No. 8121. The OCA observed that:

While it may be true that the delay may be attributed in part to factors cited by the respondent Judge, such factors cannot exculpate

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[1] Annex "B" of Dr. Sulla's letter dated November 5, 1999.

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him from administrative liability. The prolonged inaction of respondent Judge over a period of more than two (2) years cannot simply be ignored. Such inaction is accentuated by the fact that no less than three (3) letters were communicated by the complainant calling the attention of the respondent judge to his omission. Such omission obviously caused distress and disappointment to the complainant, and it certainly did nothing to enhance the image of the courts as agencies of justice where all people may expect the fair and prompt disposition of their cases. Furthermore, if the reasons cited by respondent judge really prevented him from deciding the case within the reglementary period, he should have asked the Supreme Court for a reasonable extension of time to decide the case which the respondent judge failed to do. It was only when he was directed by the Court Administrator to report the status of Criminal Case No. 8121 in his letter dated November 10, 1999 that he requested for an extension of thirty (30) days within which to decide the case. By that time, there was already a delay of more than two (2) years. Cases must be decided within three (3) months from the filing of the last pleading or from the time the case is submitted for decision and the non-observance of the said rule constitutes a ground for administrative action against the defaulting judge. Failure to decide within the required period is not excusable and constitutes gross inefficiency. Judges are presumed to be aware of Rule 3.01 of the Code of Judicial Conduct which calls for a judge to be faithful to the law and maintain professional competence. There is also Rule 3.05 which admonishes all judges to dispose of the court's business promptly and decide cases within the period fixed by law.[2]

The OCA recommends that Judge Ramos be fined ₱20,000.00 and issued a warning against a repetition of the same or similar acts in the future.

We agree with the findings and observations of the OCA.

This Court has consistently impressed upon judges the need to decide cases promptly and expeditiously pursuant to Rule 3.05, Canon 3 of the Code of Judicial Conduct and Section 15(1) and (2), Article VIII of the Constitution. This requirement is designed to prevent delay in the administration of justice

[2] Report of the OCA, p. 2.

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because justice delayed is justice denied; and delay in the disposition of cases erodes the faith and confidence of our people, lowers its standards and brings it into disrepute.[3] This Court notes from the letters of Dr. Sulla, a father's frustration with the justice system, having had to wait more than (2) years for the resolution of the case which he hopes would bring justice to his minor daughter. Guarding against this danger is precisely the reason why this Court has repeatedly reminded judges that failure to decide cases within the required period constitutes gross inefficiency for which the erring judge is subject to administrative sanctions.

This Court, however, is of the view that for the fairly long inaction or failure of respondent Municipal Judge Ramos to decide Criminal Case No. 8121, a fine of ₱5,000.00 is sufficient penalty.

WHEREFORE, Judge Rodolfo C. Ramos is hereby *FINED* ₱5,000.00 with a *STERN WARNING* against the repetition of the same or similar inaction in the future shall be dealt with more severely.

SO ORDERED.

Bellosillo, Mendoza, Quisumbing and *Buena, JJ .*, concur.

FIRST DIVISION

[A.M. No. RTJ-99-1447. September 27, 2000]

Spouses LEONARDO DARACAN and MA. TERESA DARACAN, *petitioners, vs.* **JUDGE ELI G.C. NATIVIDAD, RTC, Branch 48, San Fernando, Pampanga,** *respondent.*

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[3] Report on the Judicial Audit Conducted in the Regional Trial Court, Branch 27, of Lapu-Lapu City, 289 SCRA 398, 404 (1998).