



Republic of the Philippines
Supreme Court
Manila

SECOND DIVISION

XXX260504,

Petitioner,

G.R. No. 260504

[Formerly UDK 17607]

Present:

- versus -

LEONEN, *SAJ*, Chairperson,
LAZARO-JAVIER,
LOPEZ, M.,
LOPEZ, J., and
KHO, JR., *JJ*.

AAA260504,*

Respondent.

Promulgated:

NOV 13 2023

X-----X

DECISION

LOPEZ, J., *J*:

This Court resolves the Petition for Review on *Certiorari*¹ assailing the Decision² and Resolution³ of the Court of Appeals (CA), which reversed the Order⁴ of the Regional Trial Court (RTC), and remanded the case to the RTC insofar as the computation of the amount of support that needs to be

* In line with Amended Administrative Circular No. 83-2015, as mandated by the Revised Penal Code, Article 266-A, the names of the private offended parties, along with all other personal circumstances that may tend to establish their identities, are made confidential to protect their privacy and dignity..

¹ *Rollo*, pp. 4-26.

² *Id.* at 62-68. The February 24, 2021 Decision in CA-G.R. CV No. 112653 was penned by Associate Justice Carlito B. Calpatura and concurred in by Associate Justices Ramon M. Bato, Jr. and Emily R. Aliño-Geluz of the Fifth Division, Court of Appeals, Manila.

³ *Id.* at 31-33. The February 28, 2022 Resolution in CA-G.R. CV No. 112653 was penned by Associate Justice Carlito B. Calpatura and concurred in by Associate Justices Ramon M. Bato, Jr. and Emily R. Aliño-Geluz of the Former Fifth Division, Court of Appeals, Manila.

⁴ *Id.* at 69-75. The June 27, 2018 Order in Criminal Case No. 166-2009 FC was penned by Acting Presiding Judge Ma. Cristina J. Mendoza-Pizarro of Branch [REDACTED], Regional Trial Court, [REDACTED].

paid is concerned. The RTC acquitted XXX260504 of violation of Section 5(i) of Republic Act No. 9262,⁵ otherwise known as the “Anti-Violence Against Women and Their Children Act of 2004,” but rendered him civilly liable to pay the sum of USD 100.00 per month or its peso equivalent to BBB260504, his minor child, from April 2006 to June 2018.

The instant case stemmed from an Amended Information⁶ dated August 25, 2011 charging XXX260504 with violation of Section 5(i) of Republic Act No. 9262, the accusatory portion of which states:

That on or about the eleventh (11th) day of April 2006 up to the present, in the [REDACTED], Philippines, and within the jurisdiction of this Honorable Court, the above-named accused, being then the boyfriend of [AAA260504], with intent to cause mental or emotional anguish, public ridicule or humiliation, did then and there willfully, unlawfully and feloniously cause psychological abuse and economic abuse against the complainant by deliberately failing, refusing, denying and depriving said complainant and their minor child [BBB260504] financial support despite his being gainfully employed, to the damage and prejudice of said [AAA260504] and their minor child.

CONTRARY TO LAW.⁷

On arraignment, XXX260504, assisted by counsel, entered a plea of not guilty to the offense charged against him. The pre-trial conference was terminated and, thereafter, trial on the merits ensued.⁸

To prove the guilt of XXX260504, the prosecution presented AAA260504 and CCC260504.⁹ In establishing the antecedent facts, AAA260504 testified that she and XXX260504 had a romantic relationship which produced BBB260504, who was born on April 11, 2006. Despite demand, XXX260504 failed to fulfill his parental obligation to render child support to their daughter. However, upon questioning, the testimonies of the prosecution’s witnesses belied the allegation of failure or refusal to, denial or deprivation of support.¹⁰

After the prosecution rested its case and with prior leave of court, XXX260504 filed a Motion for Leave of Court to File Demurrer to Evidence¹¹ predicated upon the prosecution’s failure to present sufficient evidence to warrant a conviction. *First*, there was no deliberate denial of

⁵ An Act Defining Violence Against Women and Their Children, Providing for Protective Measures for Victims, Prescribing Penalties Therefore, and for Other Purposes. (2004)

⁶ *Rollo*, pp. 88–89.

⁷ *Id.* at 88.

⁸ *Id.* at 63.

⁹ *Id.* at 70, 104.

¹⁰ *Id.* at 70–73.

¹¹ *Id.* at 92–99.

financial support on the part of XXX260504, but rather, there was refusal on the part of AAA260504 to accept the offer of financial support because the amount offered was insufficient. *Second*, psychological abuse or violence, though alleged, was not adequately proven. AAA260504 did not testify on her social humiliation, wounded feelings, and anxiety brought about by the alleged deliberate failure, refusal, denial, and deprivation of support for the minor child.¹²

In its Order,¹³ the RTC acquitted XXX260504 of the crime charged, but found him civilly liable to support his minor child in the amount of USD 100.00 per month or its peso equivalent, from April 2006 to June 2018. In so ruling, the RTC ratiocinated that an acquittal based on reasonable doubt on the guilt of the accused did not absolve XXX260504 from civil liability which may be proved by preponderance of evidence.¹⁴ The dispositive portion of the Order reads:

WHEREFORE, premises considered, the Demurrer to Evidence is GRANTED. Consequently, accused is ACQUITTED of the crime charged. However, he is hereby ordered to pay the sum of US\$100.00 per month or its peso equivalent, to the minor [BBB260504] from April 2006 to June 2018.

SO ORDERED.¹⁵

Dissatisfied, XXX260504 filed a Motion for Partial Reconsideration.¹⁶ He argued that the award of civil liability *ex delicto* in the dispositive portion of the Order was manifestly incongruent with the body thereof that absolved him of the criminal charge. Assuming *arguendo* that civil liability *ex delicto* may be awarded, the trial court likewise erred in fixing the amount of support based on the bare and unsubstantiated allegations by the prosecution, that failed to meet the quantum of proof required by law, which is preponderance of evidence. Corollarily, XXX260504 argued that the Order violated his right to due process when he was ordered to pay support without giving ample opportunity to prove his financial capacity. Finally, XXX260504 asseverated that instead of *ex delicto*, his liability may be based on other sources of obligation.¹⁷

In its Order,¹⁸ the RTC denied the Motion for lack of merit. The RTC reiterated its ruling that XXX260504's acquittal based on reasonable doubt

¹² *Id.* at 95.

¹³ *Id.* at 69–75.

¹⁴ *Id.* at 74–75.

¹⁵ *Id.* at 75.

¹⁶ *Id.* at 100–110.

¹⁷ *Id.* at 101–107.

¹⁸ *Id.* at 76–78. The October 18, 2018 Order in Criminal Case No. 116-2009 FC was penned by Acting Presiding Judge Ma. Cristina J. Mendoza-Pizarro of Branch 73, Regional Trial Court, Olangapo City.

did not exonerate him from complying with his obligation to support his minor child as mandated under Article 195 of the Family Code.¹⁹

Unperturbed, XXX260504 interposed an appeal before the CA.²⁰ In his Brief,²¹ XXX260504 claimed, *inter alia*, that the RTC committed reversible error: (1) in fixing the amount of support without due notice and hearing, and (2) in awarding civil liability *ex delicto* in the dispositive portion of the assailed Order when in the body thereof, it stated that no crime was committed.²²

In its Decision,²³ the CA granted the appeal insofar as the award of civil liability is concerned. It ruled that no evidence was presented to show the means of the giver and the needs of the recipient minor child. To remedy this, the CA remanded the case to the RTC for the purpose of determining the amount of support to be imposed upon XXX260504. The dispositive portion of the CA Decision states:

WHEREFORE, premises considered, the appeal is GRANTED. In so far as the accused-appellant's civil liability is concerned, the *Orders* dated June 27, 2018, and October 18, 2018, in Criminal Case No. 166-2009FC, are REVERSED AND SET ASIDE.

The case is ordered REMANDED to the Regional Trial Court of [REDACTED], Branch 73, for proper accounting, reception of evidence, and evaluation thereof to determine the actual amount of the accused-appellant's liability for support, if any.

SO ORDERED.²⁴

Aggrieved, XXX260504²⁵ and AAA260504²⁶ filed separate Motions for Reconsideration. In his Motion,²⁷ XXX260504 sought the dismissal of the case for want of jurisdiction. He argued that the issue on liability for support was neither raised in the pleadings nor passed upon in the proceedings before the RTC. He insists that the award of support was not only baseless but was misplaced and improper as the same was not sourced from a criminal liability, but from an obligation set forth under Title VIII of the Family Code, which must be instituted in a separate independent action. Even assuming that the court had jurisdiction to rule upon the same, no evidence was presented to establish the amount of support.²⁸

¹⁹ *Id.* at 77.

²⁰ *Id.* at 62, 64.

²¹ *Id.* at 125-145.

²² *Id.* at 128-129.

²³ *Id.* at 62-68.

²⁴ *Id.* at 67.

²⁵ *Id.* at 34-42.

²⁶ *Id.* at 53-58.

²⁷ *Id.* at 34-42.

²⁸ *Id.* at 35-36.

In a Resolution,²⁹ the CA denied the Motions for Reconsideration as follows:

ACCORDINGLY, We resolve to DENY both the accused-appellant's Motion for Partial Reconsideration dated March 25, 2021, and the private complainant-appellee's Motion for Reconsideration dated April 30, 2021, for utter lack of merit.

SO ORDERED.³⁰

Hence, this Petition.

In the main, XXX260504 argues that: (1) the CA committed a reversible error when it affirmed the trial court's decision granting civil liability *ex delicto* despite its categorical finding that he did not commit the acts impugned against him in the Information, and (2) the court *a quo* committed reversible error in applying Republic Act No. 9262.³¹

In compliance with the directive of this Court, AAA260504 filed her Comment,³² seeking the denial of the instant Petition and argued that: (1) the court *a quo* did not err in awarding civil liability *ex delicto*, and (2) the errors assigned by XXX260504 are factual in nature—beyond the purview of a petition under Rule 45 of the Rules of Court.³³

The sole issue for this Court's resolution is whether the CA erred in affirming XXX260504's civil liability for support in favor of BBB260504.

This Court's Ruling

The present Petition is a mere iteration of the issues raised before the courts *a quo*, which have been carefully considered and found without merit in the assailed CA Decision.

As a rule, this Court only entertains questions of law in petitions filed under Rule 45 of the Rules of Court. For this Court is not a trier of facts. It is not dutybound to review anew the evidence on record in the absence of a clear showing of any arbitrariness, capriciousness, or palpable error. The factual findings of the courts *a quo* are "final, binding, or conclusive on the parties and upon this Court" when supported by substantial evidence."³⁴

²⁹ *Id.* at 31–33.

³⁰ *Id.* at 32.

³¹ *Id.* at 10.

³² *Id.* at 182–188.

³³ *Id.*

³⁴ *Caeg v. People*, G.R. No. 249708, January 22, 2020 [Unsigned Resolution, First Division].

Technicalities aside, the instant Petition, even if given due course, would still necessarily fail for being devoid of merit.

XXX260504 argues that the CA committed a reversible error in affirming its Decision to remand the case to the RTC “for proper accounting, reception of evidence and evaluation thereof to determine the actual amount of [XXX260504’s] liability for support, if any.” He claimed that the alleged acts in violation of Section 5(i) of Republic Act No. 9262 were not duly proven by the prosecution. Perforce, no civil liability can arise therefrom. In fine, there was no adequate factual or legal basis to justify the order for payment of civil liability. Finally, he claims that the civil liability should be nullified for being awarded without due process or opportunity to prove his financial capacity.

The contention is tenuous.

This Court stress that “[w]here a court has jurisdiction over the subject matter and over the person of the accused, and the crime was committed within its territorial jurisdiction, the court necessarily exercises jurisdiction over all issues that the law requires it to resolve.”³⁵

It is axiomatic in criminal prosecution that “[e]very person criminally liable for a felony is also civilly liable.”³⁶ Appositely, Rule 111, Section 1 of the Revised Rule on Criminal Procedure provides that:

Section 1. *Institution of criminal and civil actions.* — (a) When a criminal action is instituted, the civil action for the recovery of civil liability arising from the offense charged shall be deemed instituted with the criminal action unless the offended party waives the civil action, reserves the right to institute it separately or institutes the civil action prior to the criminal action.

Thus, in a criminal case, the jurisdiction of the court is not limited to ascertaining the criminal culpability of the accused but necessarily extends to determining any civil liability arising therefrom.

Consequently, courts, in rendering a judgment, are dutybound to make a categorical declaration as to the civil liabilities, if any, of the accused. Rule 120, Section 2 of the 2000 Revised Rules of Criminal Procedure pertinently provides that:

³⁵ *Hun Hyung Park v. Eung Won Choi*, 544 Phil. 431, 446 (2007) [Per J. Carpio Morales, Second Division].

³⁶ REV. PEN. CODE, art. 100.

SECTION 2. *Contents of the Judgment.* — If the judgment is of conviction, it shall state (1) the legal qualification of the offense constituted by the acts committed by the accused and the aggravating or mitigating circumstances which attended its commission; (2) the participation of the accused in the offense, whether as principal, accomplice, or accessory after the fact; (3) the penalty imposed upon the accused; and (4) the *civil liability or damages caused by his wrongful act or omission to be recovered from the accused by the offended party*, if there is any, unless the enforcement of the civil liability by a separate civil action has been reserved or waived.

In case the judgment is of acquittal, it shall state whether the evidence of the prosecution absolutely failed to prove the guilt of the accused or merely failed to prove his guilt beyond reasonable doubt. In either case, the judgment shall determine if the act or omission from which the civil liability might arise did not exist. (Emphasis supplied)

Jurisprudence dictates that in the absence of such a declaration, “it must be presumed that the acquittal was due to reasonable doubt, and the accused remains civilly liable *ex delicto*.”³⁷

In the case at hand, the RTC and the CA are one in declaring that XXX260504’s acquittal was based on reasonable doubt.

This Court sustains the uniform ruling of the courts *a quo* upon a finding that the same is consistent with prevailing jurisprudence.

Reasonable doubt is defined as that doubt engendered by an investigation of the whole proof and an inability, after such investigation, to let the mind rest easy upon the certainty of guilt.³⁸ In *Alcantara v. Court of Appeals*,³⁹ this Court expounded on the definition of reasonable doubt in this wise:

The reasonable doubt should necessarily pertain to the facts constituted by the crime charged. Surmises and conjectures have no place in a judicial inquiry and thus are shunned in criminal prosecution. For the accused to be acquitted on reasonable doubt, it must arise from the evidence adduced or from lack of evidence. Reasonable doubt is not such a doubt as any man may start questioning for the sake of a doubt; nor a doubt suggested or surmised without foundation in facts, for it is always possible to question any conclusion derived from the evidence on record. Reasonable doubt is the state of the case which after a calibration and assessment of the totality of the evidence of the prosecution leaves the mind of the judge in that condition that he cannot say that there is a moral certainty of the truth of the charge.⁴⁰ (Citations omitted)

³⁷ *Kane v. Roggenkamp*, 876 Phil. 159, 180 (2020) [Per J. Leonen, Third Division].

³⁸ *Balina v. People*, G.R. No. 205950, January 12, 2021 [Per J. Gaerlan, First Division].

³⁹ 462 Phil. 72 (2003) [Per J. Callejo, Sr., Second Division].

⁴⁰ *Id.* at 89–90.

Without delving into the merits of the case, a perusal of the questioned RTC Order would readily show that the dismissal of the case was grounded on the failure of the prosecution to establish the elements of the crime of psychological violence defined and penalized under Section 5(i) of Republic Act No. 9262, namely: (1) the deliberate intent to willfully refuse to give or consciously deny financial support to the minor child; and (2) the mental or emotional anguish caused on the woman and/or child. While these elements were not ultimately proven, the undisputed fact remains that XXX260504 failed to provide financial support.

Thus, contrary to what XXX260504 posits, his acquittal was based on reasonable doubt. As aptly put by the CA, “while the mind of the court cannot rest easy in penalizing the accused for the commission of a crime, it, nevertheless, finds that he committed or omitted to perform acts which serve as a separate source of obligation.”⁴¹

Finding that the acquittal was based on reasonable doubt, it follows that XXX260504 may still be adjudged civilly liable, to wit:

The extinction of the penal action does not carry with it the extinction of the civil liability where: (a) the acquittal is based on reasonable doubt as only preponderance of evidence is required; (b) the court declares that the liability of the accused is only civil; and (c) the civil liability of the accused does not arise from or is not based upon the crime of which the accused is acquitted.⁴²

On this point, the pronouncements in *Manantan v. Court of Appeals*⁴³ is instructive:

Our law recognizes two kinds of acquittal, with different effects on the civil liability of the accused. First is an acquittal on the ground that the accused is not the author of the act or omission complained of. This instance closes the door to civil liability, for a person who has been found to be not the perpetrator of any act or omission cannot and can never be held liable for such act or omission. There being no *delict*, civil liability *ex delicto* is out of the question, and the civil action, if any, which may be instituted must be based on grounds other than the *delict* complained of. This is the situation contemplated in Rule 111 of the Rules of Court. The second instance is an acquittal based on reasonable doubt on the guilt of the accused. In this case, *even if the guilt of the accused has not been satisfactorily established, he is not exempt from civil liability which may be proved by preponderance of evidence only.* This is the situation contemplated in Article 29 of the Civil Code, where the civil action for damages is “for the same act or omission.” Although the two actions have different purposes, the matters discussed in the civil case are similar to

⁴¹ *Rollo*, p. 65.

⁴² *Manuel v. People*, G.R. No. 213640, April 12, 2023 [Per J. Gaerlan, Third Division]. (Citation omitted)

⁴³ 403 Phil. 298 (2001) [Per J. Quisumbing, Second Division].

those discussed in the criminal case. However, the judgment in the criminal proceeding cannot be read in evidence in the civil action to establish any fact there determined, even though both actions involve the same act or omission. The reason for this rule is that the parties are not the same and secondarily, different rules of evidence are applicable. Hence, notwithstanding herein petitioner's acquittal, the Court of Appeals in determining whether Article 29 applied, was not precluded from looking into the question of petitioner's negligence or reckless imprudence.⁴⁴ (Emphasis supplied; citations omitted)

To repeat, the courts *a quo* are unequivocal that XXX260504 was acquitted due to reasonable doubt. Thus, the extinction of the penal action does not operate to extinguish any and all civil liabilities. The action to recover civil liability arising from the offense charged is deemed instituted with the criminal action and as a consequence of which, the courts are not stripped of jurisdiction to rule thereon.

Civil liability *ex delicto* is the liability sought to be recovered in a civil action deemed instituted with the criminal case.⁴⁵ It is based on the acts or omissions that constitute the criminal offense; therefore, inherently intertwined with the criminal action. For this reason, the civil liability *ex delicto* is impliedly instituted with the criminal offense.

It is beyond cavil that the denial of support is an incident of the criminal action under Section 5(i) of Republic Act No. 9262. It is the means by which psychological violence is committed upon women and their children. However, support, while inherently intertwined with the criminal action, is not the civil liability *ex delicto* contemplated by law. The liability for support is distinct and independent of any criminal prosecution. In fact, it may be filed separately based on Title VIII of the Family Code.

While a separate civil action may be filed, such separate filing is not the sole permissible mode of recovering support. Support may be awarded as part of civil liability. This is consistent with the spirit and letter of the law, which institutionalized the entitlement of support as a right, to wit:

SECTION 35. *Rights of Victims.* – In addition to their rights under existing laws, victims of violence against women and their children shall have the following rights:

- (a) To be treated with respect and dignity;
- (b) To avail of legal assistance from the PAO of the Department of Justice (DOJ) or any public legal assistance office;
- (c) To be entitled to support services from the DSWD and LGUs[;]

⁴⁴ *Id.* at 308–309.

⁴⁵ *Wong v. Wong*, G.R. No. 237159, September 29, 2021 [Per J. Inting, Second Division].

- (d) *To be entitled to all legal remedies and support as provided for under the Family Code; and*
- (e) *To be informed of their rights and the services available to them including their right to apply for a protection order.*⁴⁶ (Emphasis supplied)

Unlike an ordinary case of support under the Family Code which is solely meant to provide subsistence, the grant of support under Republic Act No. 9262 serves to protect the offended party from harm and violence, and help them recover and regain control over their life.⁴⁷

Further, the award of civil liability finds support in jurisprudence. It is settled that mere failure to provide financial support will entail only civil, not criminal, responsibility.⁴⁸ When filiation is beyond question, support follows as a matter of obligation.⁴⁹ Under the Family Code, a parent is obliged to support his child with everything indispensable for sustenance, dwelling, clothing, medical attendance, education, and transportation, in keeping with his financial capacity.⁵⁰ Here, the filiation of BBB260504 was established in the records. XXX260504 even admitted paternity. Undeniably, XXX260504 is liable to render financial support.

Notwithstanding the finding of the propriety of awarding support in a criminal action under Republic Act No. 9262, we, nevertheless, nullify the award of USD 100.00 as legal support on account of due process considerations. In fine, XXX260504 was not afforded opportunity to present countervailing evidence as to his financial capabilities.

It must be recalled that support was awarded in connection with the RTC Order granting the Demurrer to Evidence. Under the Rules of Court, when the demurrer to evidence is filed without leave of court, the accused waives his or her right to present evidence and submits the case for judgment on the basis of the evidence for the prosecution.⁵¹ Conversely, if the accused is granted leave to file a demurrer to evidence, he or she retains the right to adduce evidence not only on the criminal aspect but also on the civil aspect of the case if the demurrer is denied by the court.⁵² This right to adduce evidence is not lost when the demurrer is granted.

Thus, when the trial court issued an order awarding civil liability, the decision on the civil aspect of the case is void for the reason that the constitutional right of the accused to due process was violated.⁵³

⁴⁶ Republic Act No. 9262 (2004), sec. 35.

⁴⁷ *Ruiz v. AAA*, G.R. No. 231619, November 15, 2021 [Per J. Leonen, Third Division].

⁴⁸ *Acharon v. People*, G.R. No. 224946, November 9, 2021 [Per J. Caguioa, *En Banc*].

⁴⁹ *Abella v. Cabañero*, 816 Phil. 466, 474 (2017) [Per J. Leonen, Second Division]. (Citation omitted)

⁵⁰ FAMILY CODE, title VIII, art. 194.

⁵¹ RULES OF COURT, rule 119, sec. 23.

⁵² *Salazar v. People*, 458 Phil. 504 (2003) [Per J. Callejo, Sr., Second Division].

⁵³ *Id.*

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Jurisprudence is replete with cases of similar import. In the recent case of *Cacdac v. Mercado*,⁵⁴ this Court reiterated its earlier ruling that the trial court must render a partial judgment granting the demurrer and continue the trial on the civil aspect of the case, to wit:

Thus, if demurrer is granted and the accused is acquitted by the court, the accused has the right to adduce evidence on the civil aspect of the case unless the court also declares that the act or omission from which the civil liability may arise did not exist. This is because when the accused files a demurrer to evidence, he has not yet adduced evidence both on the criminal and civil aspects of the case. The only evidence on record is the evidence for the prosecution. *What the trial court should do is issue an order or partial judgment granting the demurrer to evidence and acquitting the accused, and set the case for continuation of trial for the accused to adduce evidence on the civil aspect of the case and for the private complainant to adduce evidence by way of rebuttal. Thereafter, the court shall render judgment on the civil aspect of the case.*⁵⁵ (Emphasis supplied; citations omitted)

Verily, it is only after both parties were given meaningful opportunity to present their evidence can the court render judgment on the civil aspect of the case.

Thus, the CA acted accordingly in remanding the case to the RTC for proper determination of the amount of support.

As a final note, we echo with approbation the foregoing disquisitions in *Padilla, et al. v. Court of Appeals*⁵⁶ that:

There appear to be no sound reasons to require a separate civil action to still be filed considering that the facts to be proved in the civil case have already been established in the criminal proceedings where the accused was acquitted. Due process has been accorded the accused. He was, in fact, exonerated of the criminal charge. The constitutional presumption of innocence called for more vigilant efforts on the part of prosecuting attorneys and defense counsel, a keener awareness by all witnesses of the serious implications of perjury, and a more studied consideration by the judge of the entire records and of applicable statutes and precedents. To require a separate civil action simply because the accused was acquitted would mean needless clogging of court dockets and unnecessary duplication of litigation with all its attendant loss of time, effort, and money on the part of all concerned.

....

A separate civil action may be warranted where additional facts have to be established or more evidence must be adduced or where the

⁵⁴ G.R. No. 242731, June 14, 2021 [Per. J. M. Lopez, Second Division].

⁵⁵ *Id.*

⁵⁶ 214 Phil. 492 (1984) [Per J. Gutierrez, Jr., *En Banc*].

criminal case has been fully terminated and a separate complaint would be just as efficacious or even more expedient than a timely remand to the trial court where the criminal action was decided for further hearings on the civil aspects of the case. The offended party may, of course, choose to file a separate action. These do not exist in this case. Considering moreover the delays *suffered* by the case in the trial, appellate, and review stages, it would be unjust to the complainants in this case to require at this time a separate civil action to be filed.⁵⁷

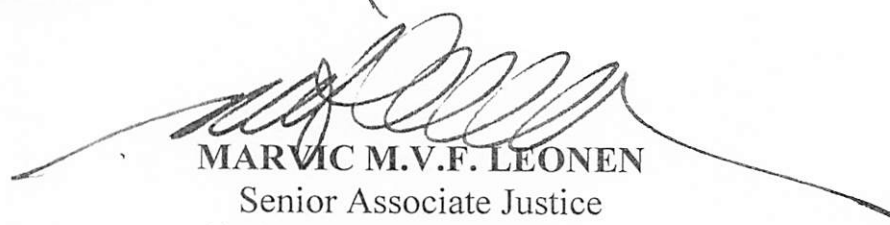
All told, in view of the foregoing disquisitions and in the paramount interest of justice, this Court deems it wise to remand the case to the RTC for further proceedings.

ACCORDINGLY, the Petition is **DENIED**. The Decision dated February 24, 2021 and the Resolution dated February 28, 2022 of the Court of Appeals in CA-G.R. CV No. 112653 are **AFFIRMED**. The Court of Appeals is hereby **DIRECTED** to **REMAND** the records of this case, together with all the oral and documentary evidence, to the Regional Trial Court of [REDACTED], Branch [REDACTED], with reasonable dispatch, for further proceedings.

SO ORDERED.


JHOSEP Y. LOPEZ
Associate Justice

WE CONCUR:


MARVIC M.V.F. LEONEN
Senior Associate Justice
Chairperson, Second Division


AMY C. LAZARO-JAVIER
Associate Justice


MARIO V. LOPEZ
Associate Justice

⁵⁷ *Id.* at 502–506.



ANTONIO T. KHO, JR.
Associate Justice

ATTESTATION

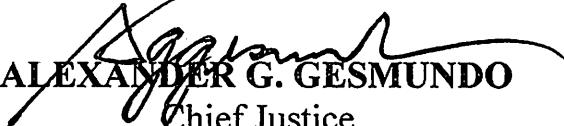
I attest that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.



MARVIC M.V.F. LEONEN
Associate Justice
Chairperson, Second Division

CERTIFICATION

Pursuant to Article VIII, Section 13 of the Constitution and the Division Chairperson's Attestation, I certify that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.



ALEXANDER G. GESMUNDO
Chief Justice