



Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

BENITO MARASIGAN, JR.,
Petitioner,

G.R. No. 222882

-versus-

Present:

**PROVINCIAL AGRARIAN
REFORM OFFICER, LAND
BANK OF THE PHILIPPINES
and DEPARTMENT OF
AGRARIAN REFORM
ADJUDICATION BOARD
(DARAB),**

**PERALTA, C.J., Chairperson,
CAGUIOA,
CARANDANG,
ZALAMEDA, and
GAERLAN, JJ.**

Respondents.

Promulgated:

DEC 02 2020

X

X

DECISION

CAGUIOA, J.:

This is a Petition for Review on *Certiorari*¹ (petition) under Rule 45 of the Rules of Court (Rules) filed by Benito Marasigan, Jr. (petitioner) seeking a reversal of the Decision² dated November 24, 2014 (assailed Decision) and Resolution³ dated January 6, 2016 of the Court of Appeals, Seventh Division (CA), in CA-G.R. SP No. 130431. The assailed Decision denied the petition

¹ *Rollo*, pp. 13-33.

² *Id.* at 40-45; penned by Associate Justice Mario V. Lopez (now a Member of this Court) and concurred in by Associate Justices Jose C. Reyes, Jr. (a retired Member of this Court) and Socorro B. Inting.

³ *Id.* at 8.

brought by the petitioner before the CA, which sought a reversal of the Department of Agrarian Reform Adjudication Board (DARAB) Decision dated May 3, 2013.⁴

Factual Antecedents

The undisputed factual milieu of the instant case revolves around portions of two parcels of land, which were compulsorily acquired for agrarian reform program coverage.

Petitioner is the registered owner of two parcels of land covered by Transfer Certificate of Title (TCT) Nos. T-24060 and T-24063 (subject lots), both located in Barangay Catmon, San Juan, Batangas, and with total areas of 13.5550 hectares and 4.5183 hectares, respectively.⁵ The Department of Agrarian Reform (DAR) placed portions of said subject lots under the coverage of the Comprehensive Agrarian Reform Program (CARP) and Republic Act No. (R.A.) 6657.⁶ The Land Bank of the Philippines (LBP) subsequently valued said portions accordingly⁷ in the respective Field Investigation Reports both dated May 23, 2008, which identified the portions of the subject lots compulsorily acquired, as well as their valuations:⁸

Transfer Certificate of Title	Total Land Area	Area Covered by CARP	LBP valuation of CARP-covered Area
T-24060	13.5550 hectares	1.0063 hectares	₱60,795.96
T-24063	4.5183 hectares	0.6616 hectare	₱52,975.14 ⁹

The DAR offered to pay the LBP-assessed amounts to petitioner, but the latter rejected the same. After petitioner failed to reply to DAR's Notice of Land Valuation and Acquisition within the prescribed period, the DAR instituted before the Provincial Agrarian Reform Adjudication Board (PARAD) two summary administrative proceedings for the determination of just compensation, docketed as LV-0401-041-09 and LV-0401-049-09.¹⁰

In the Decisions¹¹ both dated November 17, 2011, penned by respondent Provincial Agrarian Reform Officer (PARO) Victor B. Baguilat found the LBP's basis for its assessment of just compensation for the subject

⁴ Id. at 42.

⁵ Id. at 50-51 and 52-53.

⁶ OTHERWISE KNOWN AS THE COMPREHENSIVE AGRARIAN REFORM LAW OF 1988.

⁷ *Rollo*, pp. 50-51 and 52-53.

⁸ Id. at 135-150.

⁹ Id.

¹⁰ Id. at 40.

¹¹ Id. at 50-51 and 52-53.



lots proper,¹² since it adopted the formula set forth by the DAR in its Administrative Order No. 5, Series of 1998, and disposed of said proceedings, thus:

In LV-0401-041-09:

WHEREFORE, premises considered, judgment is hereby rendered declaring the computed land value of [P]60,795.60 as just compensation of the area actually placed under CARP measuring 1.0063 hectares embraced by TCT No. T-24060.

The LBP is hereby directed to pay the landowner Benito V. Marasigan the said amount subject to existing rules and regulations in land acquisition under agrarian reform laws.

SO ORDERED.^{12a}

In LV-0401-049-09:

WHEREFORE, premises considered, judgment is hereby rendered declaring the computed land value of [P]52,975.14 as just compensation of the area actually placed under CARP measuring 0.6616 hectares embraced by TCT No. T-24063.

The LBP is hereby directed to pay the landowner Benito V. Marasigan the said amount subject to existing rules and regulations in land acquisition under agrarian reform laws.

SO ORDERED.¹³

Aggrieved, petitioner filed his Notice of Appeal¹⁴ dated December 22, 2011 and his Appeal Memorandum¹⁵ dated December 22, 2011 before the DARAB with respect to the PARO's decision pertaining to the property covered by TCT No. T-24060 (subject property). Petitioner mainly alleged that the PARO erred (1) since the subject property should not have been placed under the CARP coverage,¹⁶ and (2) grave abuse of discretion was committed when the two summary proceedings were heard and decided despite the fact that the subject property was not yet clearly and particularly identified.¹⁷

For his first ground for appeal, petitioner alleged that there was no proof that the notices required by law for placing the subject property under the CARP coverage were personally delivered to and received by him, nor was there proof to the effect that the Field Investigation Report pertaining to the

¹² Id. at 51 and 53.

^{12a} Id. at 51.

¹³ Id. at 53.

¹⁴ Id. at 54-55.

¹⁵ Id. at 56-69.

¹⁶ Id. at 58.

¹⁷ Id.

subject property was signed by him.¹⁸ He submitted that since there was still a controversy as to the validity of the Notice of Coverage and the compulsory acquisition of the subject property, the PARAD should have dismissed the case or referred the same to the proper agency.¹⁹

For his second ground, petitioner argued that the DAR failed to comply with its own guidelines when the landholding was not particularly identified. He added that the field investigation conducted on the subject property was without his participation, which prevented him from exercising the opportunity to choose which portion of the subject property he would like to retain, contrary to DAR Administrative Order No. 9, Series of 1990, as amended by DAR Administrative Order No. 1, Series of 1993.²⁰

Petitioner also submitted that as early as August 2003, he already made his formal objections to the inclusion of the subject property under the CARP coverage, through two letters²¹ addressed to the Municipal Agrarian Reform Officer (MARO) of San Juan, Batangas, citing as reason for the objection the fact that the subject property was a residential area, with more than 177 families with their houses built thereon, and who were also subject of 177 ejection cases pending before the Municipal Trial Court of San Juan.²²

In its Decision dated May 3, 2013, the DARAB denied the appeal for lack of jurisdiction. It held that since the action filed by the DAR with the PARO was for the preliminary determination of just compensation, petitioner's remedy from an adverse decision therefrom was to file an original action for judicial determination of just compensation with a Regional Trial Court sitting as a Special Agrarian Court (RTC-SAC).²³

Petitioner thereafter filed an appeal to the CA *via* Rule 43 of the Rules, and contended that the DARAB erred when (1) it dismissed the cases for lack of jurisdiction; (2) it disregarded the fact that the PARO was guilty of grave abuse of discretion for hearing and deciding the summary proceedings before it; and when (3) the PARO disregarded the fact that the subject property should not have been placed under the CARP coverage in the first place.²⁴ The CA denied the petition through its Decision dated November 24, 2014,²⁵ as follows:

Thus, a party aggrieved by the PARAD's decision is given 15 days to file an original action before the SAC-RTC. Here, petitioner received a copy of the November 17, 2011 PARAD Decision on December 8, 2011. Petitioner did not move for reconsideration, hence, the fifteen-day period to file an original action with the RTC commenced to run on that day until

¹⁸ *Id.* at 61.

¹⁹ *Id.* at 61-62.

²⁰ *Id.* at 63-64.

²¹ *Id.* at 49 and 71.

²² *Id.* at 71.

²³ *Id.* at 42.

²⁴ *Id.*

²⁵ *Id.* at 40-45.



December 23, 2011. Petitioner then filed the appeal with the DARAB which was an improper forum according to the DARAB Rules. For failing to file an action with the RTC-SAC, the assailed November 17, 2011 PARAD Decision has become final and executory on December 23, 2011.

FOR THESE REASONS, the petition is **DENIED**.

SO ORDERED.²⁶

In finding that the DARAB correctly dismissed the appeal for lack of jurisdiction, the CA held that since what was before the PARO was a summary administrative proceeding, any party who disagrees with the decision of the PARO in such a case for determination of just compensation may file an original action with the RTC-SAC for final determination.²⁷ Citing Section 6, Rule XIX of the 2009 DARAB Rules of Procedure (DARAB Rules), it further opined that in case of an issue regarding the *propriety* of a property's inclusion in the CARP coverage, a party should file the appropriate action before the DAR, which has jurisdiction over such matters.²⁸

Petitioner timely filed a motion for reconsideration, which was similarly denied by the CA in its Resolution²⁹ dated January 6, 2016.

Hence this petition.

Petitioner here echoes the grounds he raised in his appeal to the DARAB and to the CA, and mainly asserts that the subject property should not have been placed under the CARP coverage and that the same was not particularly identified.

Petitioner insists that it behooved the PARO to at least defer the hearing on the valuation and determination of just compensation since there was still a pending controversy regarding the validity of the Notice of Coverage and the compulsory acquisition of the subject property.³⁰ Petitioner argues that under Section 1, Rule II of the DARAB Rules, the PARO has jurisdiction over all matters or incidents involving the implementation of the CARP.³¹ Citing Section 4, Rule II of the DARAB Rules,³² petitioner submits that instead of denying his appeal, the PARO should have dismissed the cases without

²⁶ Id. at 45.

²⁷ Id. at 43-44.

²⁸ Id. at 44.

²⁹ Id. at 8.

³⁰ Id. at 19.

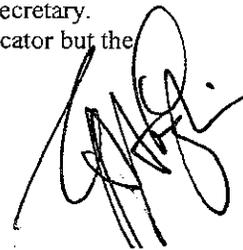
³¹ Id. at 22.

³² 2009 DARAB RULES OF PROCEDURE, Rule II, Sec. 4, provides:

SECTION 4. *Referral to Office of the Secretary (OSEC).* — In the event that a case filed before the Adjudicator shall necessitate the determination of a prejudicial issue involving an agrarian law implementation case, the Adjudicator shall dismiss the case without prejudice to its re-filing, and, for purposes of expediency, refer the same to the Office of the Secretary or his authorized representative in the locality.

Prejudicial issue is defined as one that arises in a case the resolution of which is a logical antecedent of the issue involved therein, and the jurisdiction over which pertains to the Office of the Secretary.

The prejudicial issue must be determinative of the case before the Board or the Adjudicator but the jurisdiction to try and resolve the question is lodged with the Office of the Secretary.



prejudice to refiling, and for purposes of expediency, referred the same to the Office of the Secretary or his authorized representative in the locality.³³

Petitioner also maintains that the subject property should not have been placed under the coverage of the CARP because of the irregularities in the Notice of Coverage and Notice of Acquisition pertaining to the same.³⁴ He asserts that due to the failure of the DAR to notify him, he was not able to participate in the field investigation.³⁵ Petitioner adds that since the documents provided by the DAR, including the Field Investigation Report, do not bear his signature, he may not be bound by the said documents.³⁶ He also claims that since he was not able to attend the field investigation, he was not able to exercise his retention right and the more particular option of choosing the particular area to be retained, and that instead, said right was arrogated by the DAR upon itself.³⁷

Petitioner further reiterates that the subject property should not have been included in the coverage of the CARP since the same is a residential property with a school, a barangay hall, a chapel, and more than 177 families living therein.³⁸ He adds that the subject property is also a sandy foreshore area, and is not suitable for agricultural uses.³⁹ Finally, petitioner submits that absent a specific showing of where the 1.0063 hectares will be taken from the whole 13.5550 hectares, there is as yet no meeting of the minds between the landowner and the DAR, and therefore voids the contract of sale under Article 1349 of the Civil Code.⁴⁰

In its Comment⁴¹ dated September 22, 2016, the LBP counters that petitioner availed of the wrong remedy since the DARAB clearly provides that the decisions of Adjudicators are no longer appealable to the DARAB, under Sections 5 and 6, Rule XIX of the said Rules.⁴² It submits that contrary to petitioner's claim, the DAR, through the PARAD, RARAD or DARAB, has primary jurisdiction to determine just compensation for lands covered by the CARP, and that such determination is subject to the original and exclusive jurisdiction of the RTC-SACs. It argues that since petitioner did not file a petition for determination of just compensation in an RTC-SAC, the decisions of the PARO in Cases Nos. LV-0401-041-09 and LV-0401-049-09 have already become final and executory.⁴³

³³ Id. at 20.

³⁴ Id. at 24.

³⁵ Id. at 26.

³⁶ Id.

³⁷ Id. at 29.

³⁸ Id. at 32.

³⁹ Id.

⁴⁰ Id.; CIVIL CODE, Art. 1349 provides:

Art. 1349. The object of every contract must be determinate as to its kind. The fact that the quantity is not determinate shall not be an obstacle to the existence of the contract, provided it is possible to determine the same, without the need of a new contract between the parties. (1273)

⁴¹ Id. at 118-128.

⁴² Id. at 120-121.

⁴³ Id. at 121-122.

The LBP also submits that contrary to petitioner's protest, the subject property is not exempt from the CARP coverage⁴⁴ and that petitioner should have raised his oppositions against the coverage of the same before the proper office with jurisdiction over the relief he prays for.⁴⁵ The LBP further maintains that the subject property was clearly and particularly identified in the detailed Field Investigation Report prepared therefor,⁴⁶ which showed that the portion to be acquired is planted with coco trees, which are well-within the purview of agricultural lands as defined by R.A. 6657. Lastly, the LBP asserts that the PARO was correct in not referring the case to the DAR Secretary, since the proceedings before the PARAD are only suspended by a prejudicial issue if the same is pending before the DAR Secretary or the Regional Director, and involves questions pertaining to Agrarian Law implementation (ALI), *i.e.*, petitions for lifting of coverage.⁴⁷

For their part, the PARO and the DARAB argue in their Comment⁴⁸ dated December 12, 2016 that the PARO could not have resolved petitioner's allegations regarding the validity of the Notice of Coverage for his property as well as the DAR's failure to identify the same precisely because the PARO had no jurisdiction to rule on those matters.⁴⁹ It likewise affirmed the correctness of DARAB's dismissal of petitioner's appeal since the latter also had no jurisdiction to review the decisions of PARAD.⁵⁰ Like the LBP, both the PARO and the DARAB affirm that since petitioner's allegation of impropriety of inclusion of coverage is an example of cases falling under ALI, he should have filed an action with the DAR, which exercises appellate jurisdiction over the same.⁵¹

Petitioner thereafter merely reiterated his earlier contentions in his Consolidated Reply⁵² dated July 24, 2017.

Issues

The issues presented in the instant case are (1) whether the PARO erred in hearing and ruling on the summary administrative proceeding brought

⁴⁴ Id.

⁴⁵ Id. at 124.

⁴⁶ Id. at 125; the pertinent portion of the Field Investigation Report for subject property provides:

Crops Planted	Area
Cocos	1.0063
Residential and Swampy	7.3459
Residential with cocos	4.8259
Road	0.3033
Eroded	0.0726
Total:	13.5550

⁴⁷ Id. at 126.

⁴⁸ Id. at 171-188.

⁴⁹ Id. at 177.

⁵⁰ Id. at 180.

⁵¹ Id. at 181.

⁵² Id. at 202-209.



before him for determination of just compensation; and (2) whether the DARAB erred in dismissing petitioner's appeal to it for lack of jurisdiction.

The Court's Ruling

The Court finds the petition lacking in merit, and its contentions fall in the face of black letter law that clearly provides for the contrary.

The legal take-off point of these issues' resolution must be the discussion of the procedure prescribed in land acquisition for purposes of the CARP coverage, and the specific roles, jurisdictions, and limitations of both the PARO and the DARAB within the context of this land acquisition process.

Section 16, Chapter IV of R.A. 6657 categorically outlines the process wherein a land may be acquired and placed under the CARP coverage:

SECTION 16. Procedure for Acquisition of Private Lands. – For purposes of acquisition of private lands, the following procedures shall be followed:

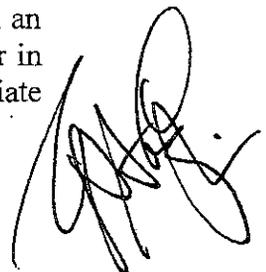
(a) After having identified the land, the landowners and the beneficiaries, the **DAR shall send its notice to acquire the land** to the owners thereof, by personal delivery or registered mail, and post the same in a conspicuous place in the municipal building and barangay hall of the place where the property is located. **Said notice shall contain the offer of the DAR to pay a corresponding value in accordance with the valuation set forth in Sections 17, 18, and other pertinent provisions hereof.**

(b) Within thirty (30) days from the date of receipt of written notice by personal delivery or registered mail, the landowner, his administrator or representative shall inform the DAR of his acceptance or rejection of the offer.

(c) If the landowner accepts the offer of the DAR, the Land Bank of the Philippines (LBP) shall pay the landowner the purchase price of the land within thirty (30) days after he executes and delivers a deed of transfer in favor of the Government and surrenders the Certificate of Title and other monuments of title.

(d) **In case of rejection or failure to reply, the DAR shall conduct summary administrative proceedings to determine the compensation for the land by requiring the landowner, the LBP and other interested parties to submit evidence as to the just compensation for the land, within fifteen (15) days from the receipt of the notice. After the expiration of the above period, the matter is deemed submitted for decision. The DAR shall decide the case within thirty (30) days after it is submitted for decision.**

(e) Upon receipt by the landowner of the corresponding payment or, in case of rejection or no response from the landowner, upon the deposit with an accessible bank designated by the DAR of the compensation in cash or in LBP bonds in accordance with this Act, the DAR shall take immediate



possession of the land and shall request the proper Register of Deeds to issue a Transfer Certificate of Title (TCT) in the name of the Republic of the Philippines. The DAR shall thereafter proceed with the redistribution of the land to the qualified beneficiaries.

(f) Any party who disagrees with the decision may bring the matter to the court of proper jurisdiction for final determination of just compensation. (Emphasis supplied)

Against this procedural backdrop, R.A. 6657 likewise lays out the role and jurisdiction of the DAR. Particularly, under Section 50, Chapter XII thereof, the DAR is vested with the authority to administratively adjudicate agrarian reform disputes, thus:

SECTION 50. Quasi-Judicial Powers of the DAR. – The DAR is hereby vested with primary jurisdiction to determine and adjudicate agrarian reform matters and shall have exclusive original jurisdiction over all matters involving the implementation of agrarian reform except those falling under the exclusive jurisdiction of the Department of Agriculture (DA) and the Department of Environment and Natural Resources (DENR).

x x x x.

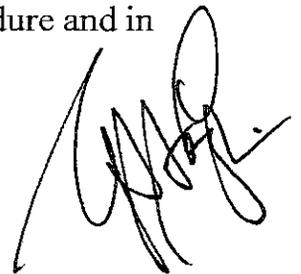
Distinct but relatedly, the DAR is likewise authorized, within the ambit of judicial review and by way of special jurisdiction, to resolve petitions for determination of just compensation, among others:

SECTION 57. Special Jurisdiction. – The Special Agrarian Courts shall have original and exclusive jurisdiction over all petitions for the determination of just compensation to landowners, and the prosecution of all criminal offenses under this Act. The Rules of Court shall apply to all proceedings before the Special Agrarian Courts, unless modified by this Act.

The Special Agrarian Courts shall decide all appropriate cases under their special jurisdiction within thirty (30) days from submission of the case for decision.

Given the above delineation of the DAR's power to administratively adjudicate agrarian dispute *vis-à-vis* its special jurisdiction to determine just compensation, the confusion between the limits of both jurisdictions is conceivable, as demonstrated by petitioner's ease of arguing, albeit over-simply, that for as long as a dispute is agrarian in nature, the same may be brought before the PARAD as in this case.

And still, however imaginable, such confusion is nevertheless incorrect, as the careful delineation between these two jurisdictions, and their corresponding remedies, have long been settled both in legal procedure and in jurisprudence.

A handwritten signature in black ink, appearing to be the initials 'AR' followed by a flourish, located in the bottom right corner of the page.

Acutely pertaining to said distinction, the case of *Philippine Veterans Bank v. Court of Appeals*⁵³ is instructive:

There is nothing contradictory between the provision of [Section] 50 granting the DAR primary jurisdiction to determine and adjudicate “agrarian reform matters” and exclusive original jurisdiction over “all matters involving the implementation of agrarian reform,” which includes the determination of questions of just compensation, and the provision of [Section] 57 granting Regional Trial Courts “original and exclusive jurisdiction” over (1) all petitions for the determination of just compensation to landowner, and (2) prosecutions of criminal offenses under R.A. No. 6657. **The first refers to administrative proceedings, while the second refers to judicial proceedings.** Under R.A. No. 6657, the Land Bank of the Philippines is charged with the preliminary determination of the value of lands placed under land reform program and the compensation to be paid for their taking. It initiates the acquisition of agricultural lands by notifying the landowner of the government’s intention to acquire his land and the valuation of the same as determined by the Land Bank. Within 30 days from receipt of notice, the landowner shall inform the DAR of his acceptance or rejection of the offer. **In the event the landowner rejects the offer, a summary administrative proceeding is held by the provincial (PARAD), the regional (RARAD) or the central (DARAB) adjudicator, as the case may be, depending on the value of the land, for the purpose of determining the compensation for the land. The landowner, the Land Bank, and other interested parties are then required to submit evidence as to the just compensation for the land. The DAR adjudicator decides the case within 30 days after it is submitted for decision. If the landowner finds the price unsatisfactory, he may bring the matter directly to the appropriate Regional Trial Court.**⁵⁴

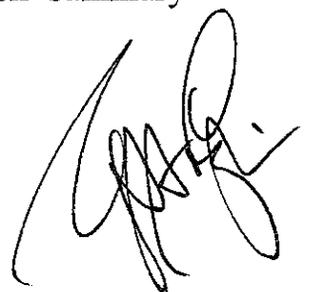
Petitioner’s insistence, therefore, on the PARO’s grave abuse of discretion and the DARAB’s erroneous restraint is demonstrably misplaced. Instead, what is clearly discernable is that in the DAR’s acquisition of subject property, it followed the prescribed process outlined in R.A. 6657 and the relevant rules of procedure, with two key points of procedure that make plain the original error in the present petition.

First, paragraph (d), Section 16, Chapter V of R.A. 6657 belies petitioner’s contentions that the PARO should or could have first suspended or otherwise referred the case to the proper agency, instead of denying the same. On the contrary, said provision clearly shows that the PARO was not at liberty to delay or otherwise suspend the decision in the summary administrative proceedings brought before him, since the latter was required to decide said cases within 30 days after they had been submitted for resolution.

More specifically, Section 1, Rule XIX of the DARAB Rules makes salient the singular role of the Board or Adjudicator in such summary administrative proceedings, *viz.*:

⁵³ G.R. No. 132767, January 18, 2000, 322 SCRA 139.

⁵⁴ *Id.* at 145-146. Emphasis supplied



SECTION 1. *Principal Role of Board/Adjudicator.* — The principal role of the Board/Adjudicator in the summary administrative proceedings for the preliminary determination of just compensation is to determine whether the Land Bank of the Philippines (LBP) and the Department of Agrarian Reform (DAR) in their land valuation computations have complied with the administrative orders and other issuances of the Secretary of the DAR and the LBP.

Second, paragraph (f), Section 16, Chapter V of R.A. 6657 additionally provides that in the event that a party disagrees with the PARO's decision in a summary administrative proceeding, the remedy allowed is for said party to bring the case before the court of proper jurisdiction for final determination of the just compensation due. Instead, and fatally for his cause, petitioner filed an appeal before the DARAB, which under the applicable DARAB Rules is no longer allowed, to wit:

SECTION 5. *When Resolution Deemed Final.* — Failure on the part of the aggrieved party to contest the resolution of the Board/Adjudicator within the afore-cited reglementary period provided shall be deemed a concurrence by such party with the land valuation, hence said valuation shall become final and executory.

SECTION 6. *Filing of Original Action with the Special Agrarian Court for Final Determination.* — **The party who disagrees with the decision of the Board/Adjudicator may contest the same by filing an original action with the Special Agrarian Court (SAC) having jurisdiction over the subject property within fifteen (15) days from his receipt of the Board/Adjudicator's decision.**

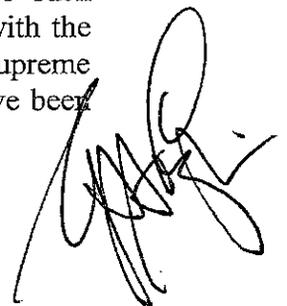
Immediately upon filing with the SAC, the party shall file a Notice of Filing of Original Action with the Board/Adjudicator, together with a certified true copy of the petition filed with the SAC.

Failure to file a Notice of Filing of Original Action or to submit a certified true copy of the petition shall render the decision of the Board/Adjudicator final and executory. Upon receipt of the Notice of Filing of Original Action or certified true copy of the petition filed with the SAC, no writ of execution shall be issued by the Board/Adjudicator. (Emphasis supplied)

This is consistent with the clear jurisdiction of the RTC-SACs provided for under Sections 56 and 57 of R.A. 6657, to wit:

SECTION 56. Special Agrarian Court. — The Supreme Court shall designate at least one (1) branch of the Regional Trial Court (RTC) within each province to act as a Special Agrarian Court.

The Supreme Court may designate more branches to constitute such additional Special Agrarian Courts as may be necessary to cope with the number of agrarian cases in each province. In the designation, the Supreme Court shall give preference to the Regional Trial Courts which have been



assigned to handle agrarian cases or whose presiding judges were former judges of the defunct Court of Agrarian Relations.

The Regional Trial Court (RTC) judges assigned to said courts shall exercise said special jurisdiction in addition to the regular jurisdiction of their respective courts.

The Special Agrarian Courts shall have the powers and prerogatives inherent in or belonging to the Regional Trial Courts.

SECTION 57. Special Jurisdiction. – The Special Agrarian Courts shall have original and exclusive jurisdiction over all petitions for the determination of just compensation to landowners, and the prosecution of all criminal offenses under this Act. The Rules of Court shall apply to all proceedings before the Special Agrarian Courts, unless modified by this Act.

The Special Agrarian Courts shall decide all appropriate cases under their special jurisdiction within thirty (30) days from submission of the case for decision.

In accordance with this procedural framework, therefore, the PARO was well within his powers when he proceeded to hear and later decided the summary administrative proceeding over the subject property. In similar token, the DARAB, in turn, was likewise correct when it recognized that petitioner's appeal before it was beyond its jurisdiction and consequently denied the same.

That petitioner availed and insisted on the wrong remedy is further shown by the fact that the pertinent rules likewise provided for the remedy he should have resorted to. As correctly submitted by respondents, petitioner was not without a remedy when he objected to the inclusion of the subject property under the CARP coverage. Sections 7 and 8, Rule II, in relation to Section 2, Rule I of the 2003 Rules of Procedure for Agrarian Reform Implementation (ALI) cases clearly provided so, to wit:

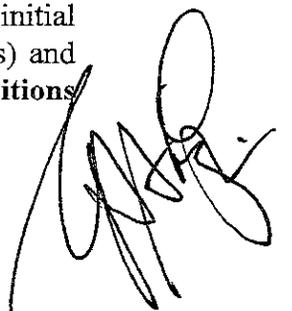
RULE I

Preliminary Provisions

x x x x

SECTION 2. *ALI cases.* These Rules shall govern all cases arising from or involving:

2.1. **Classification and identification of landholdings for coverage under the agrarian reform program and the initial issuance of Certificate of Land Ownership Awards (CLOAs) and Emancipation Patents (EPs), including protests or oppositions thereto and petitions for lifting of such coverage;**



x x x x.

RULE II*Jurisdiction over ALI Cases*

SECTION 7. *General Jurisdiction.* The Regional Director shall exercise primary jurisdiction over all agrarian law implementation cases except when a separate special rule vests primary jurisdiction in a different DAR office.

SECTION 8. *Jurisdiction over protests or petitions to lift coverage.* The Regional Director shall exercise primary jurisdiction over protests against CARP coverage or petitions to lift notice of coverage. If the ground for the protest or petition to lift CARP coverage is exemption or exclusion of the subject land from CARP coverage, the Regional Director shall either resolve the same if he has jurisdiction, or refer the matter to the Secretary if jurisdiction over the case belongs to the latter.

x x x x

Still, to resolve any doubt, the Court has traced the history of Philippine land reform and the evolution of both relevant laws and jurisprudence on the same, and outlined with clarity the delineation of the jurisdictions of an RTC-SAC and the DAR on the matter of determination of just compensation in the *en banc* case of *Alfonso v. Land Bank of the Philippines*:⁵⁵

For clarity, we restate the body of rules as follows: The factors listed under Section 17 of [R.A.] 6657 and its resulting formulas provide a uniform framework or structure for the computation of just compensation which ensures that the amounts to be paid to affected landowners are not arbitrary, absurd or even contradictory to the objectives of agrarian reform. Until and unless declared invalid in a proper case, the DAR formulas partake of the nature of statutes, which under the 2009 amendment became law itself, and thus have in their favor the presumption of legality, such that courts shall consider, and not disregard, these formulas in the determination of just compensation for properties covered by the CARP. When faced with situations which do not warrant the formula's strict application, courts may, in the exercise of their judicial discretion, relax the formula's application to fit the factual situations before them, subject only to the condition that they clearly explain in their Decision their reasons (as borne by the evidence on record) for the deviation undertaken. It is thus entirely allowable for a court to allow a landowner's claim for an amount higher than what would otherwise have been offered (based on an application of the formula) for as long as there is evidence on record sufficient to support the award.⁵⁶

⁵⁵ G.R. Nos. 181912 and 183347, November 29, 2016, 811 SCRA 27.

⁵⁶ Id. at 78-79.



Therefore, as rightly held by the CA, the PARO's decisions both dated November 17, 2011 for Cases Nos. LV-0401-041-09 and LV-0401-049-09 have long become final, for petitioner's failure to appeal them before the proper RTC-SAC. As held in *Heirs of Lorenzo and Carmen Vidad v. Land Bank of the Philippines*.⁵⁷

It must be emphasized that the taking of property under [R.A.] 6657 is an exercise of the State's power of eminent domain. The valuation of property or determination of just compensation in eminent domain proceedings is essentially a judicial function which is vested with the courts and not with administrative agencies. When the parties cannot agree on the amount of just compensation, only the exercise of judicial power can settle the dispute with binding effect on the winning and losing parties. On the other hand, the determination of just compensation in the RARAD/DARAB requires the voluntary agreement of the parties. Unless the parties agree, there is no settlement of the dispute before the RARAD/DARAB, except if the aggrieved party fails to file a petition for just compensation on time before the RTC.⁵⁸

Petitioner's hubris in demanding that the PARO direct his objections to the proper channel by virtue of his resort to the wrong remedy also does not escape the Court. Such audacity is thoroughly misplaced, and does not help his claim, whatsoever.

Finally, on the matter of petitioner's consistent assertion that the subject property should not have been included in the CARP coverage to begin with, the Court finds that said factual issue is beyond the province of the instant case, since the same goes into an appreciation of facts, and this Court is not a trier of facts. Time and again, the Court reminds that its function in petitions for review on *certiorari* under Rule 45 of the Rules is limited to reviewing errors of law that may have been committed by the lower courts. As a matter of sound practice and procedure, the Court generally defers and accords finality to the factual findings of the lower courts. Here, since the question of whether the subject property was correctly placed under the CARP is essentially factual in nature, the determination of which is best left to the courts below, especially the specialized adjudication bodies and the CA challenged in the present dispute.

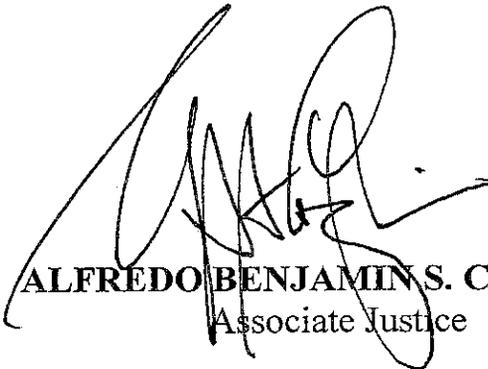
WHEREFORE, the Petition is hereby **DENIED**. Accordingly, the Decision dated November 24, 2014 and Resolution dated January 6, 2016 of the Court of Appeals, Seventh Division, in CA-G.R. SP No. 130431 are hereby **AFFIRMED**.

⁵⁷ G.R. No. 166461, April 30, 2010, 619 SCRA 609.

⁵⁸ *Id.* at 630.



SO ORDERED.

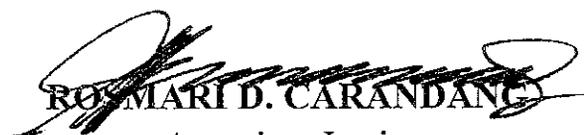


ALFREDO BENJAMIN S. CAGUIOA
Associate Justice

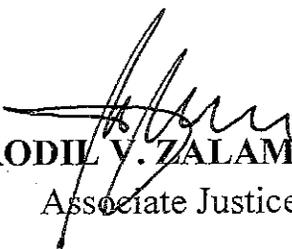
WE CONCUR:



DIOSDADO M. PERALTA
Chief Justice
Chairperson



ROSMARI D. CARANDANG
Associate Justice



RODIL V. ZALAMEDA
Associate Justice



SAMUEL H. GAERLAN
Associate Justice

CERTIFICATION

Pursuant to Section 13, Article VIII of the Constitution, it is hereby certified 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.



DIOSDADO M. PERALTA
Chief Justice