



Republic of the Philippines  
Supreme Court  
Baguio City

THIRD DIVISION

SUPREME COURT OF THE PHILIPPINES  
PUBLIC INFORMATION OFFICE

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REPUBLIC OF THE PHILIPPINES, G.R. No. 255266

Petitioner, Present:

CAGUIOA, J., Chairperson,  
INTING,  
GAERLAN,  
DIMAAMPAO, and  
SINGH,\* JJ.

- versus -

Promulgated:

EDUARDO MANAHAN,  
Respondent.

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DECISION

INTING, J.:

Before the Court is a Petition for Review on *Certiorari*<sup>1</sup> (Petition) assailing the Decision<sup>2</sup> dated March 2, 2020, and the Resolution<sup>3</sup> dated December 10, 2020, of the Court of Appeals (CA) in CA-G.R. CV No. 102713. The CA affirmed the Decision<sup>4</sup> dated December 6, 2011 of the Municipal Trial Court (MTC), San Mateo, Rizal, in LRC Case No. 085-04.

\* On leave.

<sup>1</sup> *Rollo*, pp. 16–57.

<sup>2</sup> *Id.* at 62–74. Penned by Associate Justice Ramon A. Cruz and concurred in by Presiding Justice Remedios A. Salazar-Fernando and Associate Justice Perpetua Susana T. Atal-Paño of the First Division, Court of Appeals, Manila.

<sup>3</sup> *Id.* at 76–77. Penned by Associate Justice Ramon A. Cruz and concurred in by Presiding Justice Remedios A. Salazar-Fernando and Associate Justice Perpetua Susana T. Atal-Paño of the Former First Division, Court of Appeals, Manila.

<sup>4</sup> *Id.* at 197–203. Penned by Presiding Judge Maribeth Rodriguez-Manahan.

*The Antecedents*

In 2004, respondent Eduardo Manahan (Eduardo) filed his Application<sup>5</sup> for original land registration with the MTC over three parcels of land located in Barrio Guitnang Bayan, San Mateo, Rizal, identified as follows: (1) Lot No. 320 with an area of 2,506 square meters; (2) Lot No. 4500 with an area of 2,620 square meters; and (3) Lot No. 4526 with an area of 2,890 square meters (collectively, subject lots). Eduardo prayed that title over the subject lots be confirmed and registered in his name and that the corresponding certificates of title be issued in connection therewith.

According to Eduardo, Mariano Manahan (Mariano) was the original owner of the subject lots. When Mariano died, he was succeeded by his three children, namely, Antonino, Sr., Filomena, and Jose, all surnamed Manahan. Filomena and Jose did not have any children, while Antonino, Sr., had four children, namely, Angelina, Antonino, Jr., Augusto, and Lourdes. Jose died on April 11, 1968, while Antonino, Sr., died on August 21, 1968.<sup>6</sup> In 1982, the children of Antonino, Sr., waived their rights over the subject property in favor of Filomena, but when the latter died on May 1, 1994,<sup>7</sup> the subject lots reverted back to the children of Antonino, Sr.<sup>8</sup> When Angelina died in 2001, her brothers, Antonino, Jr., and Augusto, waived their rights over the subject lots in favor of their sister, Lourdes.<sup>9</sup> Thereafter, in 2002, Lourdes sold the subject lots to Eduardo through a Deed of Absolute Sale.<sup>10</sup>

To prove prior possession and use of the subject lots, Eduardo presented several tax declarations covering the lots, the earliest of which was issued on September 14, 1948, in the name of Mariano.<sup>11</sup> Eduardo also submitted evidence showing that Filomena was born sometime in 1907.<sup>12</sup> He testified that Filomena treated him like a son, although he was never formally adopted.<sup>13</sup> Supposedly, since Eduardo was 10 years old, he had been accompanying Filomena while she supervised the planting of crops on the subject lots.<sup>14</sup> Their cultivation of the lots produced around six sacks of rice per harvest.<sup>15</sup>

<sup>5</sup> *Id.* at 94–98.

<sup>6</sup> *Id.* at 290, Judicial Affidavit of Eduardo Manahan.

<sup>7</sup> *Id.* at 179, Death Certificate of Filomena Sta. Maria Manahan.

<sup>8</sup> *Id.* at 34.

<sup>9</sup> *Id.*

<sup>10</sup> *Id.* at 133–135.

<sup>11</sup> *Id.* at 280–282, Judicial Affidavit of Eduardo Manahan.

<sup>12</sup> *Id.* at 72, CA Decision.

<sup>13</sup> *Id.* at 111–112, TSN, Eduardo Manahan, June 8, 2006.

<sup>14</sup> *Id.*

<sup>15</sup> *Id.* at 268–271, TSN, Eduardo Manahan, October 19, 2017.

Marilyn delos Angeles Diestro (Diestro), one of the registered owners of Lot No. 231 that is adjacent to Lot No. 320,<sup>16</sup> similarly testified that Mariano was the original owner of the subject lots, which were then passed on to his children, including Filomena.<sup>17</sup> Diestro recalled that it was Filomena who was managing the planting of crops on the property, and Lourdes assumed the responsibility after Filomena died.<sup>18</sup> As proof of her ownership of Lot No. 231, Diestro identified Transfer Certificate of Title (TCT) No. 212401 and TCT No. 212396 wherein her name appears as one of the registered owners.<sup>19</sup>

To prove that the subject lots are alienable and disposable, Eduardo presented Engineer Marilou L. Legaspi (Engr. Legaspi), a geodetic engineer for the Department of Environment and Natural Resources (DENR). Engr. Legaspi testified that she prepared the Advance Plan<sup>20</sup> for the subject lots based on technical descriptions found in the San Mateo Cadastre Ap-04-014026 and approved by the Regional Technical Director of the DENR.<sup>21</sup>

In support of her testimony, Engr. Legaspi identified the Advance Plan,<sup>22</sup> which contains an annotation stating that the lots included in the Plan are within the alienable and disposable area under Land Classification Map No. 639 certified on March 11, 1927. She also identified the technical descriptions<sup>23</sup> for the Advance Plan that were certified as correct by the Chief of the Regional Surveys Division of the DENR. In addition, Engr. Legaspi identified a Certification<sup>24</sup> signed by the Chief of the DENR Surveys Division which states that the Advance Plan was prepared based on an approved cadastral survey.

Furthermore, Eduardo submitted a Certification<sup>25</sup> dated February 27, 2006 (CENRO Certification) from the Community Environment and Natural Resources Office (CENRO) of Antipolo City which states that the subject lots described in the plan prepared by Engr. Legaspi were verified to be within alienable and disposable land as projected under Land Classification Map No. 639 certified released on March 11, 1927, by the Bureau of Forest Development. He also presented a Certification<sup>26</sup> dated

<sup>16</sup> *Id.* at 254, Judicial Affidavit of Marilyn Diestro.

<sup>17</sup> *Id.* at 247, TSN, Marilyn Diestro, June 29, 2017.

<sup>18</sup> *Id.* at 242.

<sup>19</sup> *Id.* at 254.

<sup>20</sup> *Id.* at 144.

<sup>21</sup> *Id.* at 224–230, Judicial Affidavit of Marilou L. Legaspi.

<sup>22</sup> *Id.* at 232–235.

<sup>23</sup> *Id.* at 145–147.

<sup>24</sup> *Id.* at 236.

<sup>25</sup> *Id.* at 167.

<sup>26</sup> *Id.* at 294.

August 7, 2017 (PENRO Certification) from the Provincial Environment and Natural Resources Office (PENRO) which contains statements similar to the CENRO Certification.

*The Ruling of the MTC*

In its Decision,<sup>27</sup> the MTC granted Eduardo's Application, to wit:

WHEREFORE, finding the application to be in order and impressed with merit, judgment is hereby rendered declaring the application, EDUARDO MANAHAN, to be the owner in fee-simple of the subject three (3) parcels of land known as Lots 320, 4500 & 4526 with an area of 2,506, 2,620, & 2,890 square meters, respectively, and more particularly identified in the Survey Plan No. Ap-04-01-014026 with appurtenant Technical Descriptions and accordingly, his title thereto is hereto confirmed and registered under P.D. No. 1529, otherwise known as the Property Registration Decree.<sup>28</sup>

The MTC held that Eduardo was able to sufficiently prove all the elements of a valid title over the subject lots in accordance with Section 14, paragraph 1<sup>29</sup> of Presidential Decree No. 1529 or the Property Registration Decree, namely: (1) the applicant is a resident and a citizen of the Philippines; (2) the lands applied for are alienable and disposable at the time of the application; and (3) the applicant and his predecessor-in-interest had been in open, continuous, exclusive, adverse possession and occupation under a bona fide claim of ownership since June 12, 1945, or earlier.<sup>30</sup>

The MTC particularly determined that (1) Eduardo, a Filipino of legal age, was qualified for registration under the Property Registration Decree; (2) Eduardo and his predecessors-in-interest had been in possession of the subject lots as early as 1949; and (3) the subject lots were classified as alienable and disposable on March 11, 1927, per Land Classification Map No. 639, as stated in the CENRO Certification. The MTC further cited TCT Nos. 212401 and 212396, the Torrens certificates


<sup>27</sup> *Id.* at 197-203.

<sup>28</sup> *Id.* at 201.

<sup>29</sup> At the time material to the present case, Section 14 of the Property Registration Decree relevantly states:  
SECTION 14. *Who May Apply.* – The following persons may file in the proper Court of First Instance an application for registration of title to land, whether personally or through their duly authorized representatives:

(1) Those who by themselves or through their predecessors-in-interest have been in open, continuous, exclusive and notorious possession and occupation of alienable and disposable lands of the public domain under a *bona fide* claim of ownership since June 12, 1945, or earlier.

<sup>30</sup> *Id.* at 199.



of title issued for the properties adjacent to the subject lots, as basis to conclude that the lots in question are similarly alienable and disposable.<sup>31</sup>

The Republic, through the Office of the Solicitor General (OSG), appealed the MTC Decision to the CA.<sup>32</sup>

*The Ruling of the CA*

In the assailed Decision,<sup>33</sup> the CA dismissed the Republic's appeal and affirmed the MTC Decision *in toto*, to wit:

WHEREFORE, in view of the foregoing, the appeal is hereby DISMISSED. The Decision dated December 6, 2011 of the Municipal Trial Court of San Mateo, Rizal, Fourth Judicial Region, in LRC Case No. 085-04 is AFFIRMED *in toto*.

SO ORDERED.<sup>34</sup>

The CA agreed with the MTC that Eduardo was able to sufficiently prove that the subject lots were already alienable and disposable at the time of the application for land registration. The CA explained that based on the CENRO Certification, which enjoys the presumption of regularity, the subject lots had been declared alienable and disposable as early as March 11, 1927.<sup>35</sup>

The CA similarly concluded that Eduardo has met the requirement of possession of the subject lots since June 12, 1945, or earlier. It stressed that based on the evidence on record, Filomena, who was born sometime in 1907, planted on the subject lots. The CA relied on the testimony of Eduardo, who mentioned that he had been accompanying Filomena in supervising the planting of crops on the subject lots since he was 10 years old. It added that Eduardo's testimony was corroborated by Diestro, who stated that the subject lots have been owned by the Manahans since time immemorial.<sup>36</sup>

Thus, the present Petition.<sup>37</sup>

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<sup>31</sup> *Id.* at 199–200, MTC Decision.

<sup>32</sup> *Id.* at 204–205, Notice of Appeal.

<sup>33</sup> *Id.* at 62–74.

<sup>34</sup> *Id.* at 72.

<sup>35</sup> *Id.* at 70.

<sup>36</sup> *Id.* at 72.

<sup>37</sup> *Id.* at 16–57.

*Petitioner's Arguments*

The OSG asserts that the subject lots, being unregistered parcels of land, are presumed to be lands belonging to the State; hence, Eduardo bore the burden to prove a positive act from the government declassifying the subject lots from the public domain and converting them to alienable and disposable lands.<sup>38</sup> It argues that Eduardo was unable to sufficiently prove that the lots have already been declared alienable and disposable given that the only material evidence that he submitted to prove it was the CENRO Certification.<sup>39</sup> It points out that pursuant to *Republic v. T.A.N. Properties, Inc.*,<sup>40</sup> Eduardo should have submitted a certified true copy of the original land classification approved by the DENR Secretary which he failed to do.<sup>41</sup>

The OSG adds that Eduardo was unable to prove that he and his predecessors-in-interest have been in possession of the subject lots since June 12, 1945, or earlier.<sup>42</sup> It highlights that based on the tax declarations submitted by Eduardo, Mariano claimed ownership and possession of the subject lots only in 1948 and not earlier.<sup>43</sup> It asserts that Diestro's testimony should not have been considered by the lower courts as she did not mention when the Manahans first acquired possession of the subject properties and also failed to identify the specific acts of ownership that the Manahans allegedly exercised over the subject lots.<sup>44</sup>

*Respondent's Arguments*

In his Comment,<sup>45</sup> Eduardo argues that he was able to sufficiently prove that the subject lots have been declared alienable and disposable.<sup>46</sup> Eduardo asserts that pursuant to DENR Administrative Order No. 2012-09 (DAO No. 2012-09), the CENRO is authorized to issue certifications on land classification; hence, the CENRO Certification adequately demonstrates that the subject lots have been declared alienable and disposable as early as March 11, 1927, under Land Classification Map No. 639.<sup>47</sup> Eduardo insists that the case of *T.A.N.* does not apply to his case because when it was decided, DAO No. 2012-09 had not yet been issued

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<sup>38</sup> *Id.* at 39, 41.

<sup>39</sup> *Id.* at 42.

<sup>40</sup> 578 Phil. 441 (2008).

<sup>41</sup> *Rollo*, pp. 43-44.

<sup>42</sup> *Id.* at 49-51.

<sup>43</sup> *Id.* at 51-52.

<sup>44</sup> *Id.* at 51.

<sup>45</sup> *Id.* at 478-495.

<sup>46</sup> *Id.* at 479-480.

<sup>47</sup> *Id.* at 480-481.

and the CENRO was not yet authorized to issue certifications as to land classification.<sup>48</sup> He adds that in *Republic v. Javier*,<sup>49</sup> Land Classification Map No. 639 was judicially recognized by the Court.<sup>50</sup>

Eduardo further avers that he was able to sufficiently prove that the Manahans had been in possession of the subject property even before June 12, 1945. He insists that the Manahans had supervised the planting of crops on the subject lots since time immemorial, as corroborated by Diestro.<sup>51</sup> Eduardo stresses that Angelina, Antonino, Augusto, Filomena, and Lourdes were all born before 1945, and such fact proves their possession of the subject property in accordance with the Property Registration Decree.<sup>52</sup>

### *The Issues*

The core issue before the Court is whether the CA erred in holding that Eduardo was able to adequately prove the following: (1) that he and his predecessors-in-interest have been in open, continuous, exclusive, and notorious possession and occupation of the subject lots under a *bona fide* claim of ownership since June 12, 1945, or earlier; and (2) that the subject lots have been declared alienable and disposable at the time of the filing of the Application with the MTC.

### *The Ruling of the Court*

The Court resolves to remand the present Petition to the CA for the reasons set forth below.

While Eduardo was able to sufficiently prove possession of the subject lots in accordance with Section 14(1) of the Property Registration Decree, as amended by Section 6<sup>53</sup> of Republic Act

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<sup>48</sup> *Id.* at 489–491.

<sup>49</sup> 613 Phil. 101 (2009).

<sup>50</sup> *Rollo*, pp. 481–482.

<sup>51</sup> *Id.* at 486–488.

<sup>52</sup> *Id.* at 487–488. Eduardo avers that Antonino was born in 1890, Filomena was born in 1907, Lourdes was born in 1920, Angelina was born in 1922, while Augusto was born in 1928.

<sup>53</sup> SECTION 14. *Who may apply.* The following persons may file at any time, in the proper Regional Trial Court in the province where the land is located, an application for registration of title to land, not exceeding twelve (12) hectares, whether personally or through their duly authorized representatives:

(1) Those who by themselves or through their predecessors-in-interest have been in open, continuous, exclusive and notorious possession and occupation of alienable and disposable lands of the public domain not covered by existing certificates of title or patents under a *bona fide* claim

No. 11573,<sup>54</sup> the evidence on record does not adequately show that the subject lots have been declared alienable and disposable at any time before Eduardo filed the Application with the MTC. Given the circumstances and the curative purpose of Republic Act No. 11573, it is proper to remand the case to the CA for the reception of evidence on the land classification status of the subject lots.

*Section 14, paragraph 1 of the Property Registration Decree, as amended by Section 6 of Republic Act No. 11573, applies to the present case*

It must be emphasized that the modes of acquiring imperfect titles over alienable and disposable lands under Section 14 of the Property Registration Decree was amended by Section 6 of Republic Act No. 11573,<sup>55</sup> which took effect on September 1, 2021.<sup>56</sup> Section 14, paragraph 1 of the Property Registration Decree, as amended, now states:

SECTION 14. *Who may apply.* – The following persons may file at any time, in the proper Regional Trial Court in the province where the land is located, an application for registration of title to land, not exceeding twelve (12) hectares, whether personally or through their duly authorized representatives:

- (1) Those who by themselves or through their predecessors-in-interest have been in open, continuous, exclusive and notorious possession and occupation of alienable and disposable lands of the public domain not covered by existing certificates of title or patents under a *bona fide* claim of ownership ***for at least twenty (20) years immediately preceding the filing of the application for confirmation of title*** except when prevented by war or *force majeure*. They shall be conclusively presumed to have performed all the conditions essential to a Government grant and shall be entitled to a certificate of title under this section. (Emphasis supplied)

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of ownership for at least twenty (20) years immediately preceding the filing of the application for confirmation of title except when prevented by war or force majeure. They shall be conclusively presumed to have performed all the conditions essential to a Government grant and shall be entitled to a certificate of title under this section.

<sup>54</sup> An Act Improving the Confirmation Process for Imperfect Land Titles, Amending for the Purpose Commonwealth Act No. 141, As Amended, Otherwise Known as “The Public Land Act,” and Presidential Decree No. 1529, as Amended, Otherwise Known as the “Property Registration Decree.”

<sup>55</sup> See *Kawayan Hills Corp. v. Court of Appeals*, 889 Phil. 824, 833 (2018), citing *Canlas v. Republic* 746 Phil. 358, 370 (2014).

<sup>56</sup> *Arlo Aluminum Co., Inc. v. Republic*, G.R. No. 254433, April 17, 2024.



In this regard, the Court categorically held in *Republic v. Pasig Rizal Co., Inc.*<sup>57</sup> that Section 6 of Republic Act No. 11573, which amended Section 14 of the Property Registration Decree, “may operate *retroactively* to cover applications for land registration *pending as of September 1, 2021*, or the date when [Republic Act No.] 11573 took effect.” The law must be applied retroactively because of its curative nature:

To be sure, the curative nature of [Republic Act No.] 11573 can easily be discerned from its declared purpose, that is, “to simplify, update and harmonize similar and related provisions of land laws in order to simplify and remove ambiguity in its interpretation and implementation.” Moreover, by shortening the period of adverse possession required for confirmation of title to twenty (20) years prior to filing (as opposed to possession since June 12, 1945 or earlier), the amendment implemented through Section 6 of [Republic Act No.] 11573 effectively created a new right in favor of those who have been in possession of alienable and disposable land for the shortened period provided. The retroactive application of this shortened period does not impair vested rights, as [Republic Act No.] 11573 simply operates to confirm the title of applicants whose ownership already existed prior to its enactment.

Accordingly, to ascertain whether Eduardo’s Application may be granted, the provisions of Section 14, paragraph 1 of the Property Registration Decree, as amended by Republic Act No. 11573, should be applied. It is therefore imperative for Eduardo to establish the following: (1) possession of the subject lots under a *bona fide* claim of ownership, by himself and/or through his predecessors-in-interest, for at least 20 years immediately preceding the filing of the application for confirmation of title except when prevented by war or *force majeure*; and (2) the properties sought to be registered have already been declared alienable and disposable at any time prior to the filing of the Application with the MTC and is not covered by existing certificates of title or patents.<sup>58</sup>

*The Manahans had been in possession of the subject lots for at least 20 years immediately preceding the filing of the Application with the MTC*

Section 14, paragraph 1 of the Property Registration Decree, as amended, requires “open, continuous, exclusive and notorious possession and occupation” of the land subject of the application for at least 20 years

<sup>57</sup> 919 Phil. 622 (2022).

<sup>58</sup> See *Republic v. Science Park of the Philippines, Inc.*, 843 Phil. 123 (2018); *Republic v. Lao*, 799 Phil. 211 (2016).

immediately preceding the filing of the application for confirmation of title. "Possession is: (a) *open* when it is patent, visible, apparent, notorious, and not clandestine; (b) *continuous* when uninterrupted, unbroken, and not intermittent or occasional; (c) *exclusive* when the adverse possessor can show exclusive dominion over the land and an appropriation of it to his own use and benefit; and (d) *notorious* when it is so conspicuous that it is generally known and talked of by the public or the people in the neighborhood."<sup>59</sup>

The evidence on record sufficiently establishes that Eduardo and the Manahans had been in possession and occupation of the subject lots under a *bona fide* claim of ownership for at least 20 years immediately preceding the filing of the Application with the MTC.

*First*, Eduardo presented tax declarations<sup>60</sup> over the subject lots dating back to **1948**, wherein Mariano was indicated as the owner. After Mariano died, his heirs declared themselves as owners and continued paying real property taxes for the subject lots.<sup>61</sup> Later, after Lourdes sold the subjects lots to Eduardo in 2002, the latter declared himself as the owner and paid the real property taxes due as late as February 2004, prior to the filing of the Application with the MTC.<sup>62</sup>

Relatedly, the Court has repeatedly held that tax declarations and tax receipts are good *indicia* of possession in the concept of owner, for no one in their right mind would be paying taxes for a property that is not in their actual or at least constructive possession.<sup>63</sup> Also, voluntarily declaring oneself as the owner of a parcel of land to pay real property taxes is not only a manifestation of a *sincere* desire to obtain title to a property but also an announcement of an adverse claim against State ownership.<sup>64</sup> The tax declarations presented by Eduardo may therefore serve as proof that as early as 1948, or 56 years prior to the filing of the Application with the MTC in 2004, Eduardo and his predecessors-in-interest have been in *possession and occupation* of the subject lots under a *bona fide* claim of ownership.

<sup>59</sup> *Republic v. Banal na Pag-aaral, Phil., Inc.*, 825 Phil. 7 (2018).

<sup>60</sup> *Rollo*, pp. 115–117, 150–166, and 193–196.

<sup>61</sup> *Id.* at 158–166, tax declarations in the name of the Heirs of Mariano Manahan.

<sup>62</sup> *Id.* at 115–117, tax declarations in the name of Eduardo Manahan.

<sup>63</sup> *Republic v. Banal na Pag-aaral, Phil., Inc.*, *supra* note 59; *Kawayan Hills Corp. v. Court of Appeals*, *supra* note 55; *Republic v. Spouses Noval*, 818 Phil. 298 (2017); *Leoncio v. De Vera*, 569 Phil. 512 (2008).

<sup>64</sup> *See Kawayan Hills Corp. v. Court of Appeals*, *id.*, and *Republic v. Spouses Noval*, *id.*

*Second*, actual possession of land consists in the manifestation of acts of dominion over it of such a nature as a party would naturally exercise over their own property.<sup>65</sup> Regularly cultivating the land, as opposed to mere casual cultivation, through the planting of crops and generation of produce, is an act of dominion.<sup>66</sup> When the applicant for original land registration claims possession of land through cultivation, he or she must show the nature and extent of such cultivation on the subject land, or the number of crops planted or the volume of the produce harvested from the crops supposedly planted thereon.<sup>67</sup>

In this regard, Eduardo testified that since he was 10 years old, he had been accompanying Filomena in travelling to the subject lots about once or twice a month to supervise the planting of crops thereon.<sup>68</sup> He further testified that Filomena had two tenants on the subject lots, that they produced around six sacks of rice per harvest, and that the tenants delivered one sack of rice to the Manahans as the latter's share in the harvest.<sup>69</sup>

Diestro corroborated Eduardo's testimony. She mentioned that the subject lots were being used as rice fields.<sup>70</sup> Further, when her grandmother was still alive, Diestro recalled that it was already Filomena who had been supervising the planting of crops on the subject lots.<sup>71</sup> Diestro further stated that the original owner of the subject lots was Mariano.<sup>72</sup>

The testimony of Diestro and Eduardo are also supported by several tax declarations,<sup>73</sup> which indicate that the subject lots were being used by the Manahans as rice fields and for agricultural purposes as early as 1948 that continued until 2004, or before the filing of the Application with the MTC.

As correctly stated by the CA, the testimonial and documentary evidence presented by Eduardo, as a whole, sufficiently establishes that the Manahans had been in possession and occupation of the subject lots in the concept of an owner for at least 20 years immediately preceding the

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<sup>65</sup> *Roman Catholic Bishop of Kalibo, Aklan v. Municipality of Buruanga, Aklan*, 520 Phil. 753 (2006).

<sup>66</sup> *Republic v. Estate of Santos*, 802 Phil. 800 (2016).

<sup>67</sup> *Republic v. Science Park of the Philippines, Inc.*, *supra* note 58.

<sup>68</sup> *Rollo*, p. 111, TSN, Eduardo Manahan, June 8, 2006.

<sup>69</sup> *Id.* at 268–271, TSN, Eduardo Manahan, October 19, 2017.

<sup>70</sup> *Id.* at 242, TSN, Marilyn Diestro, June 29, 2017.

<sup>71</sup> *Id.*

<sup>72</sup> *Id.* at 246–247, TSN, Marilyn Diestro, June 29, 2017.

<sup>73</sup> *Id.* at 115–117, 150–166, and 193–196.

filing of the Application with the MTC. The occupation of the subject lots by Eduardo and his predecessors-in-interest is (1) *open*, as the Manahans even publicly declared themselves as property owners and paid the real property taxes due on the subject lots; (2) *continuous*, beginning at the very least in 1948, or for about 56 years prior to the filing of the Application with the MTC in 2004; (3) *exclusive*, as the Manahans had utilized the subject lots for the planting of rice and had been receiving a share in the harvest for their own use and benefit; and (4) *notorious*, as the neighbors, such as Diestro, even recognized the Manahans as the owners of the subject lots.

*The land classification status of the subject lots was not sufficiently established*

To prove that the subject lots have already been declared *alienable and disposable* at any time prior to the filing of the Application with the MTC, Eduardo offered in evidence (1) the CENRO Certification<sup>74</sup> and PENRO Certification,<sup>75</sup> stating that the subject lots are part of the alienable and disposable area in Land Classification Map No. 639 certified released on March 11, 1927, by the Bureau of Forest Development; (2) Advance Plan with certified technical descriptions;<sup>76</sup> and (3) a Certification<sup>77</sup> stating that the Advance Plan was prepared based on an approved cadastral survey. Meanwhile, as proof that the subject lots are *not covered by existing certificates of title or patents*, Eduardo offered in evidence (1) a Certification<sup>78</sup> by the Municipal Agrarian Reform Office of San Mateo, Rizal, stating that no notice of coverage under the Comprehensive Agrarian Reform Program has been issued for the subject lots; and (2) a Certification<sup>79</sup> from the CENRO stating that the subject lots are not covered by any kind of public land applications.

The OSG does not assail the sufficiency of Eduardo's evidence to prove that the subject lots are *not* covered by existing certificates of title or patents and are therefore the proper subject of a judicial confirmation of title in the MTC.<sup>80</sup> Instead, the OSG asserts that the evidence presented by Eduardo does not adequately establish that the subject lots have already been declared alienable and disposable at any time prior to the filing of

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<sup>74</sup> *Id.* at 167.

<sup>75</sup> *Id.* at 294.

<sup>76</sup> *Id.* at 144–147.

<sup>77</sup> *Id.* at 236.

<sup>78</sup> *Id.* at 120.

<sup>79</sup> *Id.* at 125.

<sup>80</sup> *See Orchard Realty & Development Corp. v. Republic*, 416 Phil. 462 (2001).

the Application with the MTC. Eduardo disagrees with the OSG and argues that the CENRO Certification is sufficient proof of the land classification status of the subject lots.

The Court finds merit in the OSG's position.

Prior to the effectivity of Republic Act No. 11573, the Court has held that a CENRO or PENRO certification as regards the classification of a parcel of land subject of an application for original registration, without more, is *insufficient* to prove that the land in question has already been declared alienable and disposable.<sup>81</sup> This is because under the prevailing laws<sup>82</sup> and rules,<sup>83</sup> it is the DENR Secretary who is the *approving authority* for land classification and release of lands of the public domain as alienable and disposable, while the CENRO or PENRO merely conducts a survey to *verify* that the land for original registration falls *within* the DENR Secretary-approved alienable and disposable zone.<sup>84</sup>

Accordingly, before Republic Act No. 11573 took effect, the Court has held that to prove that a parcel of land is indeed alienable and disposable, the applicants must submit (1) the CENRO or PENRO certification stating that the parcel of land subject of original registration falls within an alienable and disposable area or zone; and (2) a copy of the original land classification approved by the DENR Secretary or the appropriate approving authority and certified as a true copy by the legal custodian of the official records.<sup>85</sup>

Eduardo failed to meet both evidentiary requirements.

As to the *first* evidentiary requirement, Eduardo submitted the CENRO and PENRO Certifications as proof that the subject lots, which have a total area of 8,016 square meters<sup>86</sup> or around 0.8 hectares, have been declared alienable and disposable. Notably, under DENR

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<sup>81</sup> *Republic v. T.A.N. Properties, Inc.*, *supra* note 40.

<sup>82</sup> Under Book IV, Title XIV, Chapter 1, Section 4, paragraph m of Executive Order No. 292 or the Administrative Code of 1987, the DENR exercises exclusive jurisdiction on the management and disposition of all lands of the public domain and serves as the sole agency responsible for classification, sub-classification, surveying and titling of lands in consultation with appropriate agencies.

<sup>83</sup> DENR Administrative Order No. 11, Series of 2000 and DENR Administrative Order No. 20, Series of 1988.

<sup>84</sup> *Republic v. Spouses Go*, 815 Phil. 306 (2017).

<sup>85</sup> *Id.*

<sup>86</sup> *Rollo*, pp. 167 and 294, CENRO and PENRO Certifications.

Administrative Order No. 38, Series of 1990,<sup>87</sup> the CENRO is authorized to issue certificates of land classification status for areas *below* 50 hectares, while the PENRO is authorized to issue the same certificates for areas covering *over* 50 hectares. Given that the total area of the subject lots is below 50 hectares, only the CENRO Certification may be considered by the Court in resolving the present case.

Relatedly, the Court has unequivocally and repeatedly held that CENRO certifications do not, by their mere issuance, prove the facts stated therein.<sup>88</sup> Instead, the certifications must be identified by the government officials who issued them; otherwise, their contents are *hearsay* and bereft of probative value in establishing that the land in question is alienable and disposable.<sup>89</sup>

Here, a review of the records reveals that it was only Eduardo who identified the CENRO Certification during trial.<sup>90</sup> The CENRO official who issued the Certification was *not* presented to identify it and to testify thereon. Indubitably, Eduardo is incompetent to testify on the facts stated in the CENRO Certification because he was not the one who prepared it; neither was he the person who conducted a verification survey to determine whether the subject lots fall within areas that have already been classified as alienable and disposable by the appropriate approving authority. Hence, the Court cannot consider the CENRO Certification in ascertaining whether the subject lots have already been declared alienable and disposable.

Even assuming that the CENRO Certification may be given any probative value, Eduardo still failed to meet the *second* evidentiary requirement to support his application for original land registration, i.e., the submission of a certified true copy of an official act by the DENR Secretary or the appropriate approving authority classifying the subject lots as alienable and disposable.

Eduardo relies on the statement in the CENRO Certification that the subject lots are within the zone of alienable and disposable land in Land Classification Map No. 639, which was allegedly judicially recognized in *Javier*.<sup>91</sup> While land classification maps are approved by the

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<sup>87</sup> Revised Regulations on the Delineation of Functions and Delegation of Authorities.

<sup>88</sup> *Republic v. Hanover Worldwide Trading Corp.*, 636 Phil. 739 (2010); *Republic v. T.A.N. Properties, Inc.*, *supra* note 40.

<sup>89</sup> *Id.*; *Republic v. Tuastumban*, 604 Phil. 491 (2009).

<sup>90</sup> *Rollo*, pp. 265 and 276, TSN, Eduardo Manahan, October 19, 2017; p. 284, Judicial Affidavit of Eduardo Manahan dated March 17, 2017.

<sup>91</sup> *Supra* note 49.

DENR Secretary under Sections 664 and 666<sup>92</sup> of DENR Administrative Order No. 12, Series of 1998, or the Revised Manual of Surveying Regulations in the Philippines, the Court has ruled that a land classification map is *not* the required certified true copy of the original proclamation or order classifying the public land as alienable and disposable.<sup>93</sup> Instead, “[the] applicant must establish the existence of a *positive act* of the government such as a presidential proclamation or an executive order; an administrative action; investigation reports of Bureau of Lands investigators; and a legislative act or statute.”<sup>94</sup> No such proof of a positive act by the proper approving authority was submitted by Eduardo.

Notably, the CENRO Certification states that the subject lots were *verified* to be within the alienable and disposable land as projected under Land Classification Map No. 639, Project No. 26, Block I of San Mateo, Rizal, certified released by the Bureau of Forest Development on March 11, 1927. However, the Bureau of Forest Development certification mentioned in the CENRO Certification was not attached thereto or offered in evidence by Eduardo.

The MTC and the CA concluded that based on the CENRO Certification, the subject lots have already been classified as alienable and disposable as early as March 11, 1927. Relevantly, at that time, Sections 6 and 7<sup>95</sup> of Act No. 2874 granted to the Governor-General, upon the recommendation of the Secretary of Agriculture and Natural Resources,

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<sup>92</sup> SECTION 664. The Land Classification Map shall be prepared by NAMRIA and checked for its technical accuracy. The Land Classification Map together with the corresponding draft DENR Administrative Order, shall be submitted through the FMB and proper channels for approval of the DENR Secretary.

The Land Classification Map shall indicate, among others, the corner number, geographic and cartesian coordinates in PPCS-TM/PRS 92 of corner 1, and cartesian coordinates of the other corners, description and markings of the corner monument or markers.

....

SECTION 666. After the approval of the map by the DENR Secretary, copies shall be given to the Regional Office, CENRO, PENRO, the Forest Management Bureau, the Lands Management Bureau, and the Lands Management Services.

<sup>93</sup> *Dumo v. Republic*, 832 Phil. 656 (2018).

<sup>94</sup> *Gaerlan v. Republic*, 729 Phil. 418 (2014).

<sup>95</sup> SECTION 6. The Governor-General, upon the recommendation of the Secretary of Agriculture and Natural Resources, shall from time to time classify the lands of the public domain into —

- (a) Alienable or disposable
- (b) Timber, and
- (c) Mineral lands

and may at any time and in a like manner, transfer such lands from one class to another, for the purposes of their government and disposition.

SECTION 7. For the purpose of the government and disposition of alienable or disposable public lands, the Governor-General, upon recommendation by the Secretary of Agriculture and Natural Resources, shall from time to time declare what lands are open to disposition or concession under this Act.

the authority to classify lands as alienable and disposable. The law<sup>96</sup> and rules<sup>97</sup> then prevailing also allowed the Secretary of Agriculture and Commerce to declare as alienable and disposable certain lands that have been certified by the Director of Forestry to be better suited for agricultural purposes. Hence, Eduardo should have submitted a certified true copy of an official act of the Governor-General or the Secretary of Agriculture and Commerce classifying or declaring the subject lots as alienable and disposable, which he did not do.

Further, Section 3(c) of Presidential Decree No. 705,<sup>98</sup> defines “alienable and disposable lands” as “those lands of the public domain which have been the subject of the present system of classification and declared as not needed for forest purposes.” In connection therewith, Section 13<sup>99</sup> in relation to Section 7<sup>100</sup> of Presidential Decree No. 705 and DENR Administrative Order No. 11, series of 2000,<sup>101</sup> authorize the Secretary of the DENR to classify and release lands of the public domain as alienable and disposable. Eduardo did not submit any official act by the Secretary of the DENR declaring the subject lots alienable and disposable.

<sup>96</sup> REV. ADMINISTRATIVE CODE (1917), sec. 1827 states:

SECTION 1827. *Assignment of Forest Land for Agricultural Purposes.* – Lands in public forests, not including forest reserves, upon the certification of the Director of Forestry that said lands are better adapted and more valuable for agricultural than for forest purposes and not required by the public interests to be kept under forest, shall be declared by the Department Head to be agricultural lands.

<sup>97</sup> Bureau of Forestry Administrative Order No. 1941-13-1 or the Revised Land Classification Regulations, sec.5 states:

5. *Certification.* – The Bureau of Forestry shall investigate, classify and delimit such portion or portions of the public domain as may be found necessary from time to time to be so classified or delimited and the Director thereof shall certify to the Secretary of Agriculture and Commerce areas the retention of which is not necessary for present or future forest purposes. *Such areas so certified shall be declared by the Secretary of Agriculture and Commerce as alienable and disposable and released for disposition under the Public Land Act* in Administrative Order No. 4. (Emphasis supplied)

<sup>98</sup> Revising Presidential Decree No. 389, Otherwise Known as the Forestry Reform Code of the Philippines.

<sup>99</sup> SECTION 13. *System of Land Classification.* – The Department Head shall study, devise, determine and prescribe the criteria, guidelines and methods for the proper and accurate classification and survey of all lands of the public domain into agricultural, industrial or commercial, residential, resettlement, mineral, timber or forest, and grazing lands, and into such other classes as now or may hereafter be provided by law, rules and regulations.

In the meantime, the Department Head shall simplify through inter-bureau action the present system of determining which of the unclassified lands of the public domain are needed for forest purposes and declare them as permanent forest to form part of the forest reserves. *He shall declare those classified and determined not to be needed for forest purposes as alienable and disposable lands*, the administrative jurisdiction and management of which shall be transferred to the Bureau of Lands: *Provided*, That mangrove and other swamps not needed for shore protection and suitable for fishpond purposes shall be released to, and be placed under the administrative jurisdiction and management of, the Bureau of Fisheries and Aquatic Resources. Those still to be classified under the Present system shall continue to remain as part of the public forest. (Emphasis supplied)

<sup>100</sup> SECTION 7. *Supervision and Control.* – The Bureau shall be directly under the control and supervision of the Secretary of the Department of Natural Resources, hereinafter referred to as the Department Head.

<sup>101</sup> Revised/Updated Manual of Approval issued on February 8, 2000.



Neither does the Advance Plan constitute proof that the subject lots are alienable and disposable.<sup>102</sup> Under DENR Administrative Order No. 49, Series of 1991,<sup>103</sup> advance plans, *which are prepared by land surveyors*, are “plans of lots extracted from the approved cadastral survey records and prepared using the prescribed Isolated Survey Plan Form for cadastral lot data indicating all contiguous lots as shown on the cadastral maps.” Advance plans, together with the technical description of the lots, are usually involved in voluntary land registration.<sup>104</sup>

Prior to the effectivity of Republic Act No. 11573, the Court has held that the mere fact that the Advance Plan bears a notation stating that the subject lots are within alienable and disposable zones is insufficient proof thereof, as *a surveyor has no authority to reclassify lands of the public domain*.<sup>105</sup> Further, while the Advance Plan was certified, the certification was made *not* by the DENR Secretary but by the Chief of the Regional Surveys Division of the DENR. In addition, the certification pertained only to the *technical correctness* of the Plan and not to the notations made therein by Engr. Legaspi concerning the land classification status of the subject lots.<sup>106</sup>

Eduardo also submitted a Certification<sup>107</sup> from the Regional Technical Director of the DENR, stating that the Advance Plan was prepared based on an approved cadastral survey. However, it is jurisprudentially<sup>108</sup> settled that the mere inclusion of a parcel of land in a cadastral survey does not automatically lead to the conclusion that the land had already been released as alienable and disposable. This is because a cadastral survey “merely identifies each lot preparatory to a judicial proceeding for adjudication of title to any of the lands upon claim of interested parties.”<sup>109</sup> Hence, the mere fact that the subject lots were included in a cadastral survey is insufficient to prove that they have already been declared alienable and disposable before the Application was

<sup>102</sup> See *Republic v. Spouses Castuera*, 750 Phil. 884 (2015).

<sup>103</sup> SECTION 1.2 of Guidelines on the Issuance of Advance Surveys, Advance Plans, Certified Copies of Approved Survey Plans, and the Reconstruction of Lost and Damaged Plans, which states: SECTION 1. *Definition of Terms*. The following terms, as used in this Order, shall be construed to mean as follows;

.....

1.2. *Advance Plans* — plans of lots extracted from the approved cadastral survey records and prepared using the prescribed Isolated Survey Plan Form for cadastral lot data indicating all contiguous lots as shown on the cadastral maps. These plans, together with the technical descriptions of lot/s, are usually used in voluntary land registration.

<sup>104</sup> *Id.*

<sup>105</sup> See *Republic v. Lao*, 799 Phil. 211 (2016); *Republic v. Sese*, 735 Phil. 108 (2014).

<sup>106</sup> *Republic v. Medida*, 692 Phil. 454 (2012); *Republic v. Tri-Plus Corp.*, 534 Phil. 181 (2006).

<sup>107</sup> *Rollo*, p. 236.

<sup>108</sup> *Republic v. Intermediate Appellate Court*, 239 Phil. 393 (1987); *Director of Lands v. Court of Appeals*, 214 Phil. 606 (1984); *Republic v. Court of Appeals*, 202 Phil. 83 (1982).

<sup>109</sup> *Director of Lands v. Court of Appeals*, *id.*

filed with the MTC.

It should nonetheless be clarified that Section 7 of Republic Act No. 11573 introduced the required evidence to prove that a parcel of land is alienable and disposable, to wit:

SECTION 7. *Proof that the Land is Alienable and Disposable.* – For purposes of judicial confirmation of imperfect titles filed under Presidential Decree No. 1529, a duly signed certification by a duly designated DENR geodetic engineer that the land is part of alienable and disposable agricultural lands of the public domain is sufficient proof that the land is alienable. Said certification shall be imprinted in the approved survey plan submitted by the applicant in the land registration court. The imprinted certification in the plan shall contain a sworn statement by the geodetic engineer that the land is within the alienable and disposable lands of the public domain and shall state the applicable Forestry Administrative Order, DENR Administrative Order, Executive Order, Proclamations and the Land Classification Project Map Number covering the subject land.

Should there be no available copy of the Forestry Administrative Order, Executive Order or Proclamation, it is sufficient that the Land Classification (LC) Map Number, Project Number, and date of release indicated in the land classification map be stated in the sworn statement declaring that said land classification map is existing in the inventory of LC Map records of the National Mapping and Resource Information Authority (NAMRIA) and is being used by the DENR as land classification map.

In *Republic v. Pasig Rizal Co., Inc.*,<sup>110</sup> the Court held that Section 7 of Republic Act No. 11573 applies *retroactively* to applications for land registration pending as of September 1, 2021, or the date when the law took effect. The Court thus explained in *Pasig Rizal Co.* the evidence that is required to prove that a parcel of land is alienable and disposable under Section 7 of Republic Act No. 11573, as follows:

Hence, at present, the presentation of the approved survey plan bearing a certification signed by a duly designated DENR geodetic engineer stating that the land subject of the application for registration forms part of the alienable and disposable agricultural land of the public domain shall be sufficient proof of its classification as such, *provided* that the certification bears references to: (i) the relevant issuance (*e.g.*, Forestry Administrative Order, DENR Administrative Order, Executive Order, or Proclamation); and (ii) the [Land Classification (LC)] Map number covering the subject land.

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<sup>110</sup> 919 Phil. 622 (2022).



In the absence of a copy of the relevant issuance classifying the subject land as alienable and disposable, the certification of the DENR geodetic engineer must state: (i) the LC Map number; (ii) the Project Number; and (iii) the date of release indicated in the LC Map; and (iv) the fact that the LC Map forms part of the records of the National Mapping and Resource Information Authority (NAMRIA) and is therefore being used by DENR as such.

In addition, the DENR geodetic engineer must be presented as witness for proper authentication of the certification so presented[.]

....

Like certifications issued by the CENROs, Regional Technical Directors, and other authorized officials of the DENR with respect to land classification status, certifications of similar import issued by DENR geodetic engineers do not fall within the class of public documents contemplated under Rule 132 of the Rules of Court. Accordingly, their authentication in accordance with said rule is necessary.

Section 11 of DENR Administrative Order No. 38, Series of 2021, or the implementing rules and regulations (IRR) of Republic Act No. 11573, further provides the manner through which the alienable and disposable status of a parcel of land may be proven in proceedings for the judicial confirmation of imperfect or incomplete titles, to wit:

*SECTION 11. Issuance of Alienable and Disposable (A&D) Agricultural Land Certification for Judicial Confirmation of Imperfect or Incomplete Titles.* –The duly designated Chief of the Surveys and Mapping Division (CSMD) of the Regional Office is authorized to issue the Alienable and Disposable Agricultural Land of the Public Domain Certification for purposes of judicial confirmation of imperfect or incomplete title. The said Certification shall state the corresponding Forestry Administrative Order (FAO), Executive Order (EO), Proclamation, or other similar issuances as basis for the classification of the land as alienable and disposable.

The A&D Certification shall be stamped on the sepia or blueprint copy of the plan, in case of an approved plan. Thereafter, an update on the LAMS will be made. For those Advanced Plans submitted for approval, the said certification shall be annotated in the lower left portion of the plan and signed correspondingly by the Chief, SMD (Annex I).

In case the copy of the above-mentioned issuances is unavailable, the SMD of the Regional Office shall secure a written statement from NAMRIA that the copy of the land classification (LC) map is existing in their inventory. Consequently, a sworn certification stating such fact shall be issued by the Chief, SMD. The certification

is attached as Annex J.

The Advance Plan that Eduardo presented in evidence was identified and testified on by Engr. Legaspi, the geodetic engineer who prepared the plan.<sup>111</sup> While the Advance Plan bore a notation from Engr. Legaspi that the subject lots are “within the alienable and disposable area under L.C. Map No. 639, Land Classification Project No. 26, certified on March 11, 1927,” the certification portion of the Advance Plan that she signed merely states:

I hereby certify that this is a correct plan of the survey made by me personally or under my direct supervision in conformity with the provisions of applicable laws of the Republic of the Philippines and the rules and regulations of the Department of Environment and Natural Resources.

I further certify that this plan accurately indicates the boundaries of the property as indicated to me on the ground by the survey claimant or his authorized representative and that I assume full responsibility for the technical correctness of the survey and the accuracy of the monuments setting.<sup>112</sup>

Evidently, the Advance Plan presented by Eduardo and Engr. Legaspi’s testimony are *insufficient* to prove the land classification status of the subject lots even with the application of Republic Act No. 11573 and its IRR. The Advance Plan merely contains a notation, *not* a certification, by the geodetic engineer that the subject lots are within areas that have already been declared alienable and disposable. There is also no certification from the Chief of the Surveys and Mapping Division of the appropriate DENR Regional Office on the land classification status of the subject lots pursuant to Section 11 of DENR Administrative Order No. 38, Series of 2021.

Pertinently, Section 1<sup>113</sup> of Republic Act No. 11573 deems it the policy of the State to *simplify* and remove any ambiguity in the interpretation and implementation of laws affecting lands in the Philippines, as well as to “provide *land tenure security* by continuing judicial and administrative titling processes.” In view of the policy behind the law, it is proper to *remand* the case to the CA for the reception of

<sup>111</sup> *Rollo*, pp. 225–226, Judicial Affidavit of Engr. Marilou Legaspi; pp. 218–219, TSN, Engr. Marilou Legaspi, June 29, 2017.

<sup>112</sup> *Id.* at 144, Advance Plan.

<sup>113</sup> SECTION 1. *Declaration of Policy.* — It is the declared policy of the State to simplify, update and harmonize similar and related provisions of land laws in order to simplify and remove ambiguity in its interpretation and implementation. It is also the policy of the State to provide land tenure security by continuing judicial and administrative titling processes.

evidence on the land classification status of the lots in issue.<sup>114</sup> Remand of the case to the CA will better serve the policy behind Republic Act No. 11573; it will simplify the land registration proceedings and promote land security, especially considering that Eduardo was already able to sufficiently prove possession of the subject lots for at least 20 years immediately preceding the filing of the Application with the MTC and has therefore already met one of the requirements to qualify for the original registration of the subject lots in his name.

**ACCORDINGLY**, the Petition for Review on *Certiorari* filed by the Republic of the Philippines is **DENIED** in part.

The Decision dated March 2, 2020, and the Resolution dated December 10, 2020, respectively rendered by the First Division and Former First Division of the Court of Appeals in CA-G.R. CV No. 102713 are **AFFIRMED** insofar as they held that Eduardo Manahan, by himself and through his predecessors-in-interest, has been in open, continuous, exclusive, and notorious possession and occupation of the subject lots under a bona fide claim of ownership since 1948.

The case is **REMANDED** to the Court of Appeals for reception of evidence on the subject lots' land classification status based on the parameters set forth in Section 7 of Republic Act No. 11573 and its implementing rules and regulations. Thereafter, the Court of Appeals is **DIRECTED** to resolve the present case in accordance with this Decision with due and deliberate dispatch.

**SO ORDERED.**



**HENRI JEAN PAUL B. INTING**  
*Associate Justice*

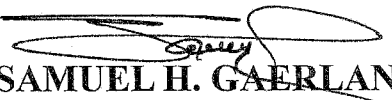
WE CONCUR:



**ALFREDO BENJAMIN S. CAGUIOA**  
*Associate Justice*

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<sup>114</sup> See *Republic v. Buenaventura*, 922 Phil. 99 (2022).

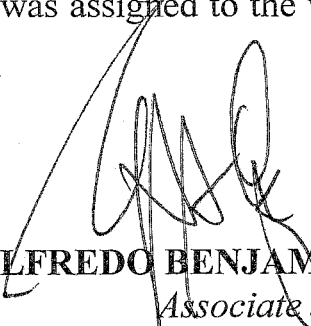
  
**SAMUEL H. GAERLAN**  
*Associate Justice*

  
**JAPAR B. DIMAAMPAO**  
*Associate Justice*

On leave  
**MARIA FILOMENA D. SINGH**  
*Associate Justice*

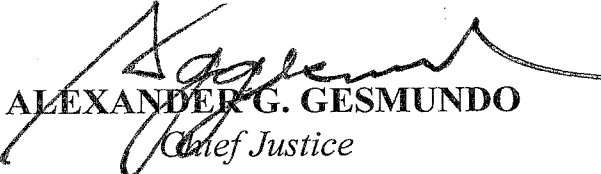
### ATTESTATION

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.

  
**ALFREDO BENJAMIN S. CAGUIOA**  
*Associate Justice*  
*Chairperson, Third 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*

