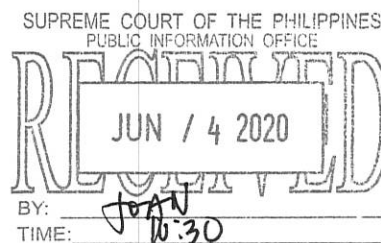




Republic of the Philippines
Supreme Court
Manila



FIRST DIVISION

NOTICE

Sirs/Mesdames:

Please take notice that the Court, First Division, issued a Resolution dated January 22, 2020 which reads as follows:

“G.R. No. 248211 – ELOISA DELFINADO, petitioner, versus CARMEL DEVELOPMENT CORPORATION, respondent.

After a careful review of the instant Petition and its annexes, as well as the December 13, 2018¹ and July 3, 2019² Resolutions of the Court of Appeals (CA), the Court resolves to **DENY** the same for lack of merit.

Despite having been granted an extension of 15 days within which to file a petition for review, petitioner failed to file the same within the period granted.³ It bears emphasis that “[t]he perfection of an appeal in the manner and within the period prescribed by law is mandatory. Failure to conform to the rules regarding appeal will render the judgment final and executory and, hence, unappealable.”⁴ Petitioner’s failure to file her petition for review within the reglementary period rendered the Regional Trial Court’s March 2, 2018 Decision final and executory. In view of the foregoing, the CA correctly dismissed the petition.

In any event, petitioner herself premises her purported right to possess the property on Presidential Decree No. 293,⁵ which was, however, declared unconstitutional in the landmark case of *Tuason v.*

- over – two (2) pages ...

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¹ *Rollo*, pp. 37-39. Penned by Associate Justice Germano Francisco D. Legaspi and concurred in by Associate Justices Sesinando E. Villon and Edwin D. Sorongon.

² *Id.* at 41-42.

³ *Id.* at 38.

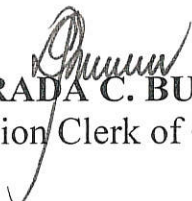
⁴ *Escalante v. People*, 701 Phil. 332, 341 (2013).

⁵ *Rollo*, p. 16.

*Register of Deeds.*⁶ As such, respondent, as the registered owner, has a better right to possess the property.

SO ORDERED.”

Very truly yours,


LIBRADA C. BUENA
Division Clerk of Court ^{of the}
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The Hon. Presiding Judge
Regional Trial Court, Branch 126
1400 Caloocan City
(Civil Case No. C-24415)

The Hon. Presiding Judge
Metropolitan Trial Court, Branch 86
1400 Caloocan City
(Civil Case No. 14-31003)

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⁶ 241 Phil. 650 (1988).

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